

The Assembly met at 1:30 p.m.

INTRODUCTION OF GUESTS

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Osika: — Thank you, Mr. Speaker.

I rise on behalf of citizens of the great community of Melville, Killaly, and Grayson, who . . . I'll read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to establish a special task force to aid the government in its fight against the escalating problem of youth crime in Saskatchewan, in light of the most recent wave of property crime charges, including car thefts, as well as crimes of violence, including the charge of attempted murder of a police officer; such task force to be comprised of representatives of the RCMP, municipal police forces, community leaders, representatives of the Justice department, youth outreach organizations, and other organizations committed to the fight against youth crime.

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

I so present, Mr. Speaker.

Mr. Bjornerud: — Thank you, Mr. Speaker. I also have a petition to present on behalf of the residents of the town of Kamsack:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to establish a special task force to aid the government in its fight against the escalating problem of youth crime in Saskatchewan, in light of the most recent wave of property crime charges, including car thefts, as well as crimes of violence, including the charge of attempted murder of a police officer; such task force to be comprised of representatives of the RCMP, municipal police forces, community leaders, representatives of the Justice department, youth outreach organizations, and other organizations committed to the fight against youth crime.

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

I so present.

READING AND RECEIVING PETITIONS

Clerk: — According to order the following petitions have been reviewed, and pursuant to rule 12(7) they are hereby read and received.

Of citizens of the province petitioning the Assembly to establish a task force to aid in the fight against youth crime.

Mr. Osika: — Thank you, Mr. Speaker. I am very pleased this afternoon to introduce to you and to all my colleagues in the Assembly, a fine group of 48 students from St. Henry School in Melville, Saskatchewan. They're seated in the east gallery, Mr. Speaker. And I'd like to acknowledge their teachers, Garth Gleisinger, Charlotte Lovequist, as well as people who have been good enough to accompany them here to the city and to this legislature to watch proceedings — Kim Herbert and Al Shantz.

I would ask all my colleagues in the Assembly to please welcome this fine group of students from St. Henry's.

Hon. Members: Hear, hear!

Hon. Mr. Nilson: — Mr. Speaker, I'm pleased to introduce to you and through you to all the members of the legislature, 16 kindergarten students from Marion McVeety School in Regina Lakeview. They're accompanied by their teachers, Mrs. Reimer, Ms. Mitchell, Mr. Veitenheimer, and Dr. King. I guess there was one teacher and the rest are special guests.

But welcome to all of you to the legislature. Let's all give them a warm welcome.

Hon. Members: Hear, hear!

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, I believe we have with us today a number of members from the Saskatchewan Council of Cultural Organizations. And on behalf of my colleagues and the Liberal opposition, I would like to welcome these members who have joined with us, and to remind members here that the arts play an essential role in the lives of the people of Saskatchewan. They lend an enjoyable variety of expression to the energy and the enthusiasm which exists in the people of our province.

So I commend the council on all of your undertakings and I wish you all the very best in your endeavours which add so much to the richness of our province. Thank you.

Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, it's my privilege to introduce to you a study group from Inner Mongolia who are seated right there in the Speaker's gallery. And I want to say to you, Mr. Speaker, and through you to members of the Assembly, that we welcome the group here wholeheartedly.

In the group we have Mr. Ya Sa Ning, the general manager of the YEI Group and chairman of the Board of the Enterprise. If you'd stand up as I read your name. I hope I'm pronouncing them clearly enough so that you can understand.

Mr. Chaolun Bateer, who is the deputy director of the League of Government and Cattle Expert; he is seated up there as well. Mr. Wulan Bateer, director of Animal Husbandry, Academy of Inner Mongolia and Animal Breeding. Mr. Hao Te, the deputy

director of the EC Division of Animal Husbandry Department of Inner Mongolia, the interpreter for the delegation. If they would stand and be recognized by the Assembly.

Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — And also with the group is a friend and a member that many of the members opposite will know, an excellent cattle producer, Syd Palmer, an executive director of the Canadian Livestock Services Ltd. Syd, if you want to stand and be recognized as well.

Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — And two other individuals, Gordon Porteous, who is the project development manager of the Canadian Livestock Services Ltd. And also, Al Hingston, who is a representative with Saskatchewan Trade and Export Partnership here in the province of Saskatchewan.

Ms. Murray: — Thank you very much, Mr. Speaker. I just note, sitting among some very distinguished people in the west gallery, one Susan Ferley, director extraordinaire of the Globe Theatre. And I'm actually amazed to see that she doesn't have more grey hair, having worked with my colleague, the member from Regina Sherwood, last year on the production of *The Dining Room*. She really tried her best to make actors out of us and it was a wonderful experience. So I ask all members to extend a warm welcome, please.

Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, seated in the west gallery are some special visitors with us here today and I want all members to join me in welcoming them here today. But in the group, who represent the board of directors of SOCO (Saskatchewan Opportunities Corporation), included in that group, Naomie Seib, Dr. Dennis Johnson, Diane Olchowski, Mel Watson, and Sherri Cybulski.

I want to say to the members of the board who are with us here today, that I'm sure all members will join with me in recognizing the work that you do for that organization on behalf of the people of the province. And also to say that I look forward to your support on a couple of projects at the board meeting later on today. Thank you and congratulations.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Day of Mourning

Mr. Trew: — Thank you, Mr. Speaker. Today is the sad but necessary day set aside as a Day of Mourning for those killed or injured on the job during the previous year. This is one of those solemn days of remembrance, the observation of which each year we hope will be the last.

A private members' Bill in Saskatchewan made Saskatchewan the first jurisdiction in Canada to observe a day of mourning.

Now it is recognized across the entire country. That is something for which Mr. Speaker and this Assembly can be proud.

We are also proud to have the most progressive occupational health and safety legislation in the country and that once again we've taken the leadership role in modernizing and improving that legislation to keep us at the forefront.

However, Mr. Speaker, with the best legislation, the most diligent safety workers, the most informed workforce in the most cooperative workplaces, with all of this, last year there were still 23 workers killed on the job. Injuries resulting in lost time added another 13,000.

Both of those numbers are down from the previous years. Neither is acceptable in a society that values life and family over mere productivity. These deaths represent 23 families permanently severed and there are 23 accusations against us as employers, as educators, as workplace safety committees, and as legislators, for failing to exercise our responsibilities.

After the names of those killed are read, we should use our moment of silence to remind ourselves that depriving workers of the right to healthy and safety workplaces, as some would do, is a guarantee that we will repeat this another year.

The Speaker: — The member's statement has expired and statements will continue.

Mr. Aldridge: — Thank you, Mr. Speaker. Mr. Speaker, today people around the world are observing a Day of Mourning for workers killed and injured on the job. In Canada two people are killed on the job every single day. About 1 million workers are injured every year. Hazardous work environments cause 5,400 cancer deaths each year.

Although there has been improvement over the years, these statistics are still unacceptable. One death in the workplace is one death too many. Workers should not have to risk life and limb in order to support their families. Work-related deaths and injuries cause tremendous heartache and financial stress on families affected.

Mr. Speaker, the stress and concerns of workplace injuries and deaths are held by employees and employers alike.

Safer workplaces are everyone's goal. The observance today could truly be seen as a step forward in the right direction if government, employers, and employees were seen together in the same boat, heading for the same shore line — that safe zone being a significant yearly decrease in workplace accidents. Let's not just observe the day; let's make a difference. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. I rise today to join the members of this Assembly in remembering those Saskatchewan workers that have been injured or killed on the job. Mr. Speaker, today we remember those who have been lost

and those who struggle every day without the physical capabilities to perform the way they used to. Our hearts and prayers go out to these individuals.

But, Mr. Speaker, while we recognize those workers who have suffered and died, let's also remember the families whose lives have been turned upside down as well. Let's remember the children who no longer had a mother or father, the husband or wife left with no spouse, the mother or father left with no children. Injuries and death affect many, many people, whether they be families or friends or neighbours.

Mr. Speaker, an average of about 30 people are killed while at work each year. Thousands more are forced to take time off work because of job-related injuries. It should be the goal of each of us to do whatever we can to see that the number of injuries and deaths decline to zero. To those who have been fortunate enough to avoid such tragedies, please take care and exercise caution on the job and in the workplace and in all parts of your life. As well, let's all be sure to offer our suggestions and help to other countries where the working conditions are far less safe than our own here at home.

Mr. Speaker, this is an important day and I ask all members to join me in remembering the workers that have been killed or injured across the province and around the world. Thank you.

Federal Election

Hon. Mr. Lingenfelter: — Mr. Speaker, on June 2 Canadian voters will once again exercise their democratic right and duty and choose who will represent them in the next federal government. And while all of us have our strong views on who those members should be, each election will hold . . . and everyone will look closely to see who they will choose to represent them after the next election.

And I might add, Mr. Speaker, I was pleased that our leader, Alexa McDonough, chose to kick off her campaign here in Saskatchewan, and I'm sure other leaders will . . . the Liberals, when they realize what time it is in Saskatchewan, they too will come and show up in the province.

But, Mr. Speaker, it needs to be said at the outset that what promises to be a very spirited campaign among five political parties, that those who have put their names forward are people who are honourable women and men who deserve our admiration, and mark that the system works, and works well.

And I want to say each and every one of them, a special congratulations from the people here in the Assembly. We on this side welcome the election regardless of the timing and regardless of what time our Saskatchewan polls will close on June 2. We welcome it because it is the time for the Canadian people to register their opinion on Ottawa's priorities — those that have been picked up and those that haven't. We have some suggestions on the latter, but I won't get into that right now.

That is why I welcome this opportunity and, Mr. Speaker, I am pleased that this race is now under way. Thank you very much.

Some Hon. Members: Hear, hear!

Early Childhood Intervention Week

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, this week is Early Childhood Intervention Week. Now I strongly believe that parenthood is one of the . . . if not one of the important and sometimes difficult jobs in our society. When some children are born with developmental impairments such as autism, spina bifida, Down's syndrome, or fetal alcohol syndrome, the parents' or the care-givers' job can be even more difficult.

Quite likely the most important determinant of a child's future success as an adult depends on their experience in early childhood. Studies show that the first three years of a child's life are the most important, and studies also show that when early childhood intervention programs are in place children thrive in both their future academic, professional, and personal lives.

These findings simply affirm what every parent already knows — that children need love and attention and constant nurturing from birth onward. For these reasons, I strongly support early childhood intervention programs, which support and assist parents and all care-givers, with developmental impairments, with personal life and skills development.

I congratulate all of those who devote their lives to affirming the worth of and encouraging the potential of our children. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Students Against Drinking and Driving

Mr. Koenker: — Thank you, Mr. Speaker. Students Against Drinking and Driving, or SADD, worked diligently for nearly 10 years to develop new drinking and driving legislation proclaimed last summer. And this past Saturday the Government of Saskatchewan was inducted into the Students Against Drinking and Driving Hall of Fame at a ceremony held in Humboldt.

Mr. Speaker, members of this Assembly should be very humbled to have been so recognized by these admirable young people. We should also be especially proud of our collective achievement because these changes in our legislation are already making a difference in saving lives.

During the first five months the legislation was in place, alcohol-related fatalities dropped 30 per cent compared to the previous three years. And there's every indication that the figure will continue to decline.

I'm pleased as well that SGI (Saskatchewan Government Insurance) contributes more than 85,000 a year to SADD, and that it will be contributing two personal computers, and a laser printer to help get the new SADD office up and running.

Mr. Speaker, the fine work these young people in SADD are doing proves once again that when people come together to

solve common problems in a cooperative fashion, they really can make a difference. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

University of Regina Researcher Receives Cancer Grant

Mr. Van Mulligen: — Mr. Speaker, because this is Cancer Month, I would like to take a moment to acknowledge the important research that is occurring at the University of Regina to combat this disease. Recently Dr. Lynn Kirkpatrick of the department of chemistry at the University of Regina was awarded \$253,500 in research funding by the National Cancer Institute of Canada. She is the first researcher at the U of R (University of Regina) to receive such funding.

Mr. Speaker, the importance of Dr. Kirkpatrick's work in the fight against cancer is reflected in this grant. Funding is limited to the most promising projects based on a national competition. Receiving this grant indicates that Dr. Kirkpatrick's work is one of the top-ranked projects in Canada. In addition to Dr. Kirkpatrick, Drs. Robert Warrington and Wei Xiao of the University of Saskatchewan also received funding grants to pursue avenues of research for cancer prevention.

The war against cancer is still ongoing, Mr. Speaker, but progress is being made. We must continue the fight. Research by dedicated individuals like Dr. Kirkpatrick will help us win the war. I want to congratulate Drs. Kirkpatrick, Warrington, and Xiao for their efforts and the funding they have received. They are making a difference in the fight against cancer. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Child Prostitution

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, the federal NDP (New Democratic Party) leader has said that she intends to run the federal campaign on this province's record. If that is really the case, she should take a step back and really take a close look at this NDP government's record with regard to child prostitution.

I have been calling on this NDP government to take action for over a year on this issue, Mr. Speaker, and this government has had well over 365 days to help the hundreds of children being exploited every day through the prostitution trade, and still nothing is being done by them. I have put forward a private members' Bill to deal with this issue but this government has refused to accept it.

Mr. Speaker, Manitoba has passed tougher legislation to fight child prostitution, but this government, which is so very proud of its record of helping the less fortunate, continues to drag its feet. And the people of this province, especially these exploited children, have heard enough excuses and political talk.

I ask you, Mr. Minister, what are you waiting for, when every second of your delay adds to the severity of the devastating effects felt by these children and our society?

Some Hon. Members: Hear, hear!

Hon. Mr. Calvert: — Mr. Speaker, several points in answer to the member's tirade. Mr. Speaker, point number one, the member belittles the communities of our province who are at work on a daily basis dealing with this issue in their communities, Mr. Speaker. Point number two, she would suggest that the Bill that she now has before the House would present some magical solution to the blight of child prostitution on our streets.

Again, I remind members that what that member has proposed is two things: to amend our Child and Family Services Act to extend the age to 18 — to take in 16- and 17-year-olds which, Mr. Speaker, it already does. The second point that she suggests as a remedy to child prostitution on the streets, is that the Minister of Social Services and the Government of Saskatchewan should be in a position to accept gifts and donations. Well, Mr. Speaker, that's done. If anyone wishes to make a gift or donation to the Crown, they may do that today.

Mr. Speaker, when she speaks of a record of a government, she might want to talk to some of her Liberal candidates who are now running around the province advertising their record, and ask, where is the national child benefit?

Some Hon. Members: Hear, hear!

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, while it is obvious that the minister has a problem with my Bill, at least I have come up with suggestions to help improve the situation, which include expanding the definition of abuse to include everyone who abuses children. And that is not included in the current provincial legislation. This is giving these children little hope when you do not at least do that.

Let's be honest here, Mr. Speaker; the minister and I know that the real reason why this government is refusing to support this Bill is because it's a Liberal solution to a problem that the NDP have been trying to sweep under the rug.

So I ask, Mr. Minister, why do you continue politicizing this issue? Why do you not take measures to fall in line with the Criminal Code amendments that have been put in by the federal government April 14 already?

Some Hon. Members: Hear, hear!

Hon. Mr. Calvert: — Mr. Speaker, the member talks about the definition of abuse; she talks about Criminal Code violations. The federal House of parliament had opportunity before its dissolution to pass legislation in that House, by the Liberal government, to make it much simpler to achieve convictions against those abusers of our children on the streets, Mr. Speaker. What did they do? They've dissolved the House of Commons before, of course. Early election.

Now, Mr. Speaker, on one hand the member says we should hurry up; on the other hand, in the House here the other day, she said we should slow down. Mr. Speaker, she said in debate in the other House that she wants, in terms of the national child benefit, that we should be very patient, that we should go at it very slowly. We want to take adequate time, she says, to ensure that any program is complete and adequate and efficient.

Mr. Speaker, is it the member's view that we have lots of time to deal with the issue of child poverty in our communities? Is that her view? Is that the view of the Liberal Party?

Some Hon. Members: Hear, hear!

Funding for Municipal Governments

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, the Liberal opposition has brought to the attention of the minister in charge of Municipal Government, the financial crisis facing more than 100 local governments that we have been in touch with over the past few weeks.

We have demonstrated how this government's \$29 million cuts to revenue-sharing grants will reduce funding to some of these local governments by as much as 95 per cent. As a result, many will be forced to dramatically reduce or eliminate some services altogether. Many will also have to raise their local mill rates and try and adjust to the fact that they're being starved by this government.

Will the minister explain if she has any idea how many municipal governments will be forced to raise their local taxes this year because of the actions of her government?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Speaker, as the member opposite knows, municipalities are not institutions; municipalities are made of people. The people of this province have indicated to us that their preferences in maintaining fiscal integrity are money directed towards health care, education, and social services. That is what we have done, Mr. Speaker.

In the course of that, we have reduced funding to municipal governments, for the most part by giving them a year's notice of the 25 per cent reduction, and six to eight months notice of the change in the health, social assistance, and public health levies. Municipalities have had an opportunity to adjust to those changes, Mr. Speaker, and there is no crisis in Saskatchewan except in the Liberal caucus.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Mr. Speaker, the minister, on her way home on the weekend, should check in with some of these local governments, whether it's urban, rural, or whatever it is, and she'll find out if there is a crisis out there in Saskatchewan — because she might be lynched.

Mr. Speaker, over 100 municipal governments have been in contact with my office to comment on this government's drastic

funding cuts. Of that total, 59 say they will definitely have to raise their mill rate this year; another 24 say it's a possibility; only 19 say that they will not be forced to raise their local taxes.

Madam Minister, in other words, four out of five local governments that have been contacted say they will be forced to raise their taxes at the local level because of your actions of your government. Furthermore, many of these same local governments say they will not be able to participate in phase 2 of the federal infrastructure program because of the same funding cuts.

What do you do . . . What do you intend to do to address the serious financial concerns facing our local governments? And don't even attempt to say this is not a serious concern, because everyone, including officials in your own department, continue to contradict you.

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Speaker, by my reckoning, in this fiscal year we will have \$23.2 million going in infrastructure money to municipalities. We will have \$8.5 million in revenue sharing. We'll have \$30 million additional in highways; \$16.4 million paid out to rural municipalities in futures. We'll have \$17.6 million of tax room at the local level to replace the levies which they no longer have to submit to us for health and social services. And that's a total, Mr. Speaker, of over \$85 million.

I have been, just in the last four or five days, in five communities in Saskatchewan — Prince Albert, Nipawin, Outlook, Tisdale, and Swift Current. And I'm pleased to report, Mr. Speaker, that rather than being lynched, my health is quite good and my limbs are all intact.

Some Hon. Members: Hear, hear!

Crown Construction Tendering Agreement

Mr. Gantefoer: — Thank you, Mr. Speaker. Mr. Speaker, more than a week ago the Liberal opposition provided the Minister of Labour with the latest in a series of examples to demonstrate how the Crown Construction Tendering Agreement inflates costs by as much as 30 per cent. The minister later confirmed that his department is conducting an internal review of the CCTA (Crown Construction Tendering Agreement) so he and the minister in charge of the Crown Investments Corporation can be advised about the impact of the policy and whether it inflates the cost of Crown projects, as our examples indicated. When questioned as to whether this report would be released to the public, the minister agreed that it was, and I quote, "not a bad suggestion."

Will the minister responsible, today make the commitment to make this internal report public?

Some Hon. Members: Hear, hear!

Hon. Mr. Wiens: — Mr. Speaker, I am pleased to say to the member opposite that the Crown Construction Tendering Agreement does nothing more than provide a level

playing-field for unionized and non-unionized contractors to bid on the same government job in order to give them some equal chances, considering the discriminatory legislation passed by the Tories in the '80s.

Some Hon. Members: Hear, hear!

Mr. Gantefoer: — Mr. Speaker, on more than three occasions last year, and with the latest example this year, we demonstrated in a contractual way where it inflates the costs of these tenders by at least 30 per cent.

Last week the Minister of Labour indicated that he was going to be doing an internal report. Last year the Minister of Labour said there was an internal report. The Minister of Economic Development said then that there wasn't one. The minister this week . . . or last week, promised that there'd be an internal report. Will you make that report public or are you afraid of the answers?

Some Hon. Members: Hear, hear!

Hon. Mr. Wiens: — Mr. Speaker, the members opposite have trouble getting their head around whether they want tax increases or tax decreases, whether they want more expending on health or less spending on health. I can tell you for sure with respect to tendering, that your numbers have no basis in fact. They will have no basis in fact in any study.

And I can tell you that if two firms bid fairly on the same terms on the same contract, you're going to get the lowest cost contract for the project to be done, and that's what we believe in. Thank you very much.

Some Hon. Members: Hear, hear!

Federal Election Campaign Participation

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, my questions are for the Premier. Well it's off and running, Mr. Premier. The election campaign has just started and already the NDP MLAs (Member of the Legislative Assembly) seem more interested in campaigning than in governing the province.

Mr. Premier, taxpayers are paying your members to focus on the business of the legislature. Yet the former deputy premier is the national campaign Chair; your current Deputy Premier is the provincial campaign Chair. Other NDP MLAs have made no secret to the fact that they're going to be campaigning while the legislature is in session.

Mr. Premier, Saskatchewan taxpayers are paying you and your members to run the province not to run the national NDP campaign. Why are you letting your members off and abandon their responsibilities to go off and campaign for the federal NDP?

Hon. Mr. Lingenfelter: — I'm not sure why the Conservatives would welcome the election call. It's a little bit like a turkey being happy about an early Christmas.

But I want to say to the members opposite that indeed there will be a number of NDP MLAs who will help in their constituency with the federal campaign. But it will be done, as I indicated publicly, by burning the candle at both ends and by doing it after they're done their duty here in the Assembly. That's clear.

But that doesn't mean that MLAs from all political parties aren't going to be involved in the federal campaign, as has been the tradition right across Canada. So I'm not sure what the member opposite is concerned about, but I want to say that the election is a very, very important part of the political process and MLAs have been involved in political campaigns as long as I can remember.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Mr. Speaker, I direct my question to the Premier. Mr. Premier, taxpayers are paying your MLAs to attend to the business being done in this House, not the business being done by Tommy Douglas House. If you're former deputy premier has time to fulfil all his MLA duties and still run the national campaign, you have to wonder about the level of responsibility he has.

Mr. Premier, taxpayers aren't paying NDP MLAs to be off campaigning. The health system is in a mess; the highway system is in a mess; job creation is lagging well behind other provinces. Taxpayers want MLAs to deal with these issues and stay out of the federal campaign.

Why don't you, Mr. Premier, show some leadership and ask your MLAs to do their job right here in the legislature instead of being out campaigning?

Hon. Mr. Lingenfelter: — Mr. Speaker, I want to say to the Leader of the Third Party very clearly that the Premier doesn't have to tell the MLAs to be here to do their work. I think if you count the number of MLAs here today you will find that there's as good a representation as any Monday that we can remember; and I might add, much better than the previous administration on Monday mornings . . . or Monday afternoons.

But I say to the member opposite, I don't know why he's so concerned about MLAs being involved in a federal election after they've done their duty here in the Assembly. They will be working as hard as ever to complete the estimates, the Bills, the legislation that we need to have done, and they also will be working in the federal campaign. I think nothing has changed. This is how democracy in Canada has always worked.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Premier, maybe there's something to what the Deputy Premier says. With a few less NDP MLAs here, maybe the place would work a little bit better. We might find . . . In fact after the next provincial election, we're hopeful that there'll be a whole lot less of you people over there, and maybe the province will run a little better.

Mr. Premier, Brian Topp and Mark Stobbe have both taken

unpaid leaves of absence to go on the campaign. You have to wonder how useful their jobs are if they can take six weeks off in the middle of session just like that. But at least, but at least they have done the right thing by taking an unpaid leave of absence.

Mr. Premier, will you ask your former deputy premier, the NDP national campaign Chair, to follow this example and take an unpaid leave of absence while he's doing the national campaign?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, I want to say to the member opposite that I think he's a little paranoid about how poorly the Tories are going to do. I wouldn't assume that you're not going to win any seats. I wouldn't be so negative on day one of the campaign to start making excuses already for why you're going to do so poorly.

I expected that comment from the Liberals today but not from Charest's team. I thought you'd be upbeat and optimistic. Here you come and start setting out the perimeters of why you lose seats in Saskatchewan and why you're going to lose. That's a bad way to start the campaign.

I say to the member opposite only this. Our members will be here in the Assembly to do the work that needs to be done. They'll also be working in their federal constituencies. This is how it has always worked. There's nothing new happening. And I say to the member opposite, just bolster yourself up, get out there and do your bit, and I'd bet you'd be surprised how well you do on election day.

Some Hon. Members: Hear, hear!

Health Board Members as Federal Political Candidates

Mr. D'Autremont: — Thank you, Mr. Speaker. I think the Deputy Premier has been reading too many of Alexa McDonough's speeches. He's confusing on who's already admitting defeat — it's his party.

Mr. Premier, if you're not too preoccupied with the federal election, then why did you just finish changing the law to accommodate two NDP candidates who were breaking the law — Gary Lake, your candidate for Souris-Moose Mountain, and Dean Smith, your candidate for Cypress are both NDP appointees to the district health boards.

The law says you can't be a district . . . a health board member and a federal election candidate at the same time. Or that's what the law used to say until you changed it last week, Mr. Premier.

Mr. Premier, why are you changing provincial laws just to accommodate federal NDP candidates?

Hon. Mr. Cline: — Mr. Speaker, I'd like to inform the member that there is at least a candidate for another party, namely Maurice Vellacott, a candidate for the Reform Party, who is a member of the Saskatoon Health Board. And I'll tell you why

the regulation was changed, Mr. Speaker. The regulation was changed because any citizen of our province or country should have the right to seek elected office. If any of those individuals are elected in the federal election, they will be required to vacate their seat on the health board.

If the member is saying that a citizen — whether on a city council, or a school board, or a health board — should not have the right to seek office in a federal election, I can only say we disagree on this side of the House with the member. We should encourage people to participate in the democratic process. The regulation was changed to accommodate that. I'm proud of that fact, Mr. Speaker, and I support the right of people to seek elected office.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. I'm glad that the Minister of Health answered this because his was the other name besides the Premier's on this particular OC (order in council).

Mr. Premier, Dean Smith was nominated on March 10, Gary Lake was nominated on March 18. You didn't change the law until last Tuesday, April 22. That means both of those NDP candidates were breaking the law for over a month.

So did you enforce the law and ask your hand-picked — remember that, hand-picked — NDP health board members to resign? No you didn't. Instead you changed the law to fix it up for them.

Mr. Premier, even though you have now changed the law to fix up your NDP candidates, both of them were in violation for about a month. Will you be asking them to resign their positions on the health board or remove them from the health board as required by the law before you changed it?

Hon. Mr. Cline: — Mr. Speaker, I believe the election campaign started yesterday when the writ for the election was issued by the Governor General on the advice of the Prime Minister. I can only repeat to the member opposite that I believe and this government believes that citizens of Saskatchewan have the right to seek elected office and should not be penalized for doing so.

If they are successful for their parties, whatever party they run for, then they should vacate an office — whether it's a health board, school board, city council. But, Mr. Speaker, the rules should be consistent for everyone. We should encourage people to participate in the democratic process. That's what we're doing and I'm proud of that fact, Mr. Speaker.

Some Hon. Members: Hear, hear!

Auto Lease Surcharges

Mr. Osika: — Thank you, Mr. Speaker. There seems to be a need, Mr. Speaker, for clarification of many, many questions, and the answers to many that have been asked over the last month and better.

Mr. Speaker, a few weeks ago I brought to the attention of this House the fact that Saskatchewan residents who lease automobiles pay a 20 per cent surcharge, a tax which does not exist in B.C. (British Columbia), Manitoba, or Alberta. After being questioned about the legitimacy of this tax, the minister indicated, it's time to take a look and determine, and I quote: "... whether or not we're going to see the 20 per cent surcharge continue to have a life,"

The minister could not provide a reason to explain why this surcharge existed other than to say, and I quote, "... (it) has been around for a long time."

Has the minister yet determined whether this surcharge will be eliminated?

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Thank you very much, Mr. Speaker. I want to reassure the member from Melville that, as I pointed out on the last occasion that this question was asked of me, that what we were doing of course, is re-examining the future of the surcharge in this province along with the major review that we have as it relates to the auto fund.

As the member knows, the surcharge has been around for a long period of time. The surcharge has been there primarily, Mr. Member, because the vehicles that were leased were ones that were involved by and large in construction sites, and over the period of time there was a significant amount of damage that occurred to those vehicles.

Today, Mr. Member, as you well know, a large number of our population are involved in leasing vehicles on a private basis, and as a result of that, SGI is examining in a very prudent fashion whether or not we need to continue to have the surcharge in place. And as we review the process, we'll bring forward to the member that information in due time.

Some Hon. Members: Hear, hear!

Mr. Osika: — Thank you, Mr. Speaker. The answer from the hon. minister seems awfully familiar to the one he provided this House recently when questioned about whether or not Saskatchewan residents will soon be facing an SGI rate hike.

A former federal New Democrat appeared on a CBC (Canadian Broadcasting Corporation) radio only days ago to discuss this particular issue. Phil Edmondston says, and I quote — this is what he said, "Shocking that Saskatchewan continues to have such a high surcharge on insurance for leased vehicles in Saskatchewan. It continues."

I agree, Mr. Speaker, it is shocking that this government would continue to levy such a charge when none of the other western provinces do. Will the minister explain when he's actually going to have some actual answers for the public, or does he simply intend on hiding his decisions with respect to eliminating this tax and/or increasing SGI rates? Or is he waiting until this legislative session is ended?

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Well, Mr. Speaker, one thing that's assured here is that the member has heard my response on every occasion that I've given it and acknowledges in fact that it is consistent, Mr. Speaker.

And my response to the member from Melville is that we are reviewing in detail the kinds of pressure that the auto fund is experiencing. And in that review — to the member from Melville — the whole issue of surcharges will also be examined, as I've indicated.

I want to share again though to the House, Mr. Speaker, that I have here a leaflet that was circulated by the auto fund from Manitoba in June, 1996. And the brochure from Manitoba, Mr. Member, says, and it reads here that you're paying — to their Manitoba residents they say — you're paying the lowest rates in Canada, is what they say. But the question is, who is paying the lowest rates in Canada, Mr. Member?

The lowest rates in Canada are being paid by Saskatchewan — the lowest automobile rates anywhere in the country. And, Mr. Speaker, this isn't put out by the Saskatchewan government. It's put out by the Manitoba automobile insurance folks.

And I want to say to the member opposite, as we continue to examine the auto rates in Saskatchewan and the auto fund in Saskatchewan, we'll bring forward the kinds of conclusions that will be necessary as they relate to the surcharge.

Some Hon. Members: Hear, hear!

Tabling of Departmental Reports

Mr. Osika: — Thank you, Mr. Speaker. Well once again in looking for some sound answers and reports on what's being going on, I just want to change to a little bit about openness and accountability with respect to the government's recently received annual reports from various Crown corporations covering the last fiscal year. However, the people of Saskatchewan continue to await greater accountability through the timely release of departmental reports.

Annual reports that have been released this session date back more than one year, in spite of the fact that the NDP indicated in its *Democratic Reforms for the 1990's* document that, and I quote:

"... all annual reports of Government of Saskatchewan departments, agencies, commissions and (Crowns) ... be made public no later than six months following the close of their fiscal year ..."

Mr. Speaker, will the Premier explain why his government has failed to live up to this commitment to table departmental reports in a timely fashion?

Some Hon. Members: Hear, hear!

Hon. Mr. Upshall: — Mr. Speaker, I can tell you one thing, to

you and this Assembly, that the reports in this House have been tabled in a more timely fashion than they ever have been in this House for many, many years.

Just the other day I believe, some of the hon. members were complaining about the number of reports that were filed in one day. Well I mean, you can't have it one all ways.

The intention of this government is to fully comply with the rules of this Assembly, fully comply with the rules of this Assembly. And I think if you go back through the history, you'll see a continued improvement in the tabling of documents and it will continue until it's absolutely perfect, Mr. Speaker.

And if there is that anything the member opposite could do, he might want to cooperate and make sure that the Liberals in this House help out with the democratic process we go through by asking intelligent questions in this Chamber.

Some Hon. Members: Hear, hear!

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

Hon. Mr. Cline: — To ask for leave to make a statement of importance to the people of Saskatchewan concerning the Day of Mourning, Mr. Speaker.

Leave granted.

STATEMENT BY A MEMBER

Day of Mourning for Workers Killed or Injured on the Job

Hon. Mr. Cline: — Thank you, Mr. Speaker. Today is the annual Day of Mourning for workers killed or injured on the job. Today we in this Assembly formally observe this important day.

The annual Day of Mourning for workers killed or injured on the job is a solemn time of reflection. In the past year, 29 men and women died as a result of workplace accidents in Saskatchewan.

Mr. Speaker, I want to read into the record the names of those men and women that have been lost to their families, friends, and colleagues: John Catto, Dennis O'Brien, Robin Chaykowski, Robert (Bert) Wildfong, Chris McLeod, Joseph Bragg, Edward Dunnison, Troy Stadnyk, John Iverson, Laurence Thompson, Milford Baldwin, George Boardman, Roy Wright, Ken Shatilla, Cliff Dyck, Norman Short, Eric Smedegaard, Breton Thomas, Wally Kost, Karen Rodenbush, James Schneider, Peter Katernick, Wayne Pruden, Douglas Gross, Kevin Misfeldt, Raymond Richier, Kim Hughes, George Temple, Harold Hemmerich.

At this point, Mr. Speaker, I think it appropriate also to remember the seven men, women, and children who lost their lives in farming accidents in 1996.

And whether farmers, factory, or office workers, today their

families in Saskatchewan are grieving for the loss of a loved one, and we grieve with them.

On this Day of Mourning, we also remember all those who have been seriously injured or have attained illness at work. And we remember the men and women left with the permanent disability as a result of hazardous conditions or accidents at work.

Mr. Speaker, we cannot undo what has happened. We cannot go back and prevent the accidents that have taken such a heavy toll, but we can renew our determination to create safe and healthy workplaces for all.

As elected members of this Assembly, we are responsible for the legislative framework to achieve that. It is up to each of us to support the ongoing education and promotion of workplace safety, to support the enforcement of health and safety rules and regulations, and to remain firm in our resolve that even one death in the workplace is too many.

Mr. Speaker, this is not some arcane or academic point. For working people it is a matter of life and death. Mr. Speaker, I now ask that all members of this Assembly rise in their places and observe a moment's silence.

The Assembly observed a moment of silence.

The Speaker: — Members may be seated.

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 51 — The Arts Board Act, 1997

Hon. Mrs. Teichrob: — Mr. Speaker, I'd like to ask leave, prior to second reading, to introduce some guests.

Leave granted.

INTRODUCTION OF GUESTS

Hon. Mrs. Teichrob: — Thank you, Mr. Speaker. It is my privilege to introduce to you and through you to all members in the legislature this afternoon, a number of distinguished guests, but first a gentleman who is no stranger to many of you, but who is most importantly someone who has been a key public servant in the early years of the first Saskatchewan Arts Board, Dr. William Riddell.

Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Among other honours and accolades, Dr. Riddell has been made a member of the Order of Canada, the Saskatchewan Order of Merit, and the Saskatchewan Arts Board Lifetime Award for Excellence in the Arts.

Dr. Riddell was Chair of the Saskatchewan Arts Board and the

longest serving Chair in the history of the board, serving from 1950 to 1964. Dr. Riddell likes to quip that after appointing him the government must have forgotten about him; how else to explain his longevity in that position. I can tell this Hon. House that Dr. Riddell indeed was an excellent Chair and we are especially honoured to have him join with us in the second reading of the new Saskatchewan Arts Board Act.

It is also my pleasure to introduce the following individuals who are well-known for their work in the arts community and who have brought honour to Saskatchewan through their great artwork and service to our communities: Dr. Howard Leyton-Brown, former director of the Conservatory of Music, University of Regina.

Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Dr. Howard Leyton-Brown's service to Saskatchewan music and Saskatchewan education has been recognized in numerous honours, including induction into the Order of Canada, Saskatchewan Order of Merit, and the Saskatchewan Arts Board Lifetime Award for Excellence in the Arts. Dr. Howard Leyton-Brown is here today representing the former minister's Advisory Committee on the Status of the Artist.

As well, we have with us Mr. Joe Fafard, visual artist.

Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Among other work, his cows are now internationally renowned and whose sculptural works are found throughout the world — for instance, in the lobby of the Hong Kong Bank Building and on the front lawns of the MacKenzie Art Gallery. Mr. Fafard, I am informed, will be representing Canada at the Jeux de la francophonie this coming year in Africa.

Mr. Wilf Perreault, a professional visual artist.

Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Perreault lives and works in Regina. His paintings are found in collections throughout Saskatchewan: the Mendel, the MacKenzie, Saskatchewan Arts Board permanent collection. And Canada: the Canada Council Collection, the Edmonton Galleries, to name some.

As well, this artist's works can be found in private collections in the United States and England. In 1989 he represented Canada at the Jeux de la francophonie in Morocco and was awarded the silver medal.

We have with us as well, Mr. Victor Cicansky.

Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — He is a well-known Saskatchewan visual artist whose appealing ceramic works appear in exhibitions and collections around the world; a former member of the University of Regina visual arts department, recipient of

the Victoria and Albert Award for Ceramics Sculpture in London, England and the Kingsley Annual Award for Sculpture in Sacramento, California.

Also, Mr. Cal Abrahamson, former executive director of the Saskatchewan Arts Board.

Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — A member of the Order of Canada and former executive director of the Saskatchewan Community Theatre Incorporated; well-known across Canada for his dedication to community theatre.

As previously acknowledged by a colleague in the House, Ms. Susan Ferley, artistic director and representative of the Globe Theatre.

Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Susan recently announced that she will be leaving the Globe Theatre after eight very successful years at the helm. We hope that Ms. Ferley will continue to keep Saskatchewan close to her heart as she pursues her professional career.

I'm also pleased to introduce, and in the interest of time I'll just do them quickly, and ask my colleagues to acknowledge everyone at the conclusion:

Cheryl Kloppenberg, current Chair of the board of directors of the Saskatchewan Arts Board. Other members present today include the Vice-Chair, Mr. Paul Rezansoff, who is also representing the single arts agency working group; Ms. Gursh Madhur, Ms. Sheila Petty, Mr. Larry Warwaruk, and Ms. Barbara Terfloth, who is also president of CARFAC Saskatchewan, the Canadian Artists Representation.

Ms. Valerie Creighton, executive director of the Saskatchewan Arts Board, representing the single arts agency working group.

Mr. Ken Sagal, president of the Saskatchewan Council of Cultural Organizations board of directors; and Ms. Martha Zacharias, member of the board of directors. Ms. Mary Mahon Jones, general manager of the Saskatchewan Council of Cultural Organizations, also representing the single arts agency working group.

Mr. Brian Gladwell, president of the Saskatchewan Arts Alliance. Arts Alliance representatives also present include: Ms. Margaret Fry of the Saskatchewan Cultural Exchange Society; and Mr. Pierre L'Heritier, the Association des artistes de la Saskatchewan.

Mr. Bob Boyer, first nations artist, representing SIFC, the Saskatchewan Indian Federated College, and member of the former arts strategy task force.

Dennis Garreck, the Organization of Saskatchewan Arts Councils, or OSAC.

Mr. Fred Barker, current president and representative of the Saskatchewan Music Educators Association.

Ms. Carol Gay Bell, artistic director of Saskatchewan Express.

Mr. Rob King, president of the Saskatchewan Motion Picture Industry Association.

Ms. Terry Lynn Klassen, president of the Saskatchewan Registered Music Teachers Association.

Ms. Lola Mae Crawley, president of the Saskatchewan Orchestral Association.

Ms. Lindy McIntyre, representing New Dance Horizons.

Dr. Mel Weisbart, president of the Regina Symphony Orchestra.

Ms. Brenda Niskala, representing the Saskatchewan Publishers Group.

Joanne Messer, president of the MacKenzie Art Gallery.

Mr. J.P. Ellson, president of the Saskatchewan Recording Industry Association and chairman of the board of the directors of the Saskatchewan Centre of the Arts. Also present from the recording industry is Marian Donnelly, executive director.

Ms. Tracy Pfeifer, president of Dance Saskatchewan.

Mr. Jayden Stephens, Chair of the board of directors for Shakespeare on the Saskatchewan Festival in Saskatoon.

Mr. Michael Toppings, representing the Saskatchewan Arts Alliance.

Ms. Lois Webb, vice-president of the Saskatchewan Music Festivals Association of Saskatchewan.

Ms. Holly Wildeman, representing the Saskatchewan Band Association.

Mr. Rob Zerr, president of the Organization of Saskatchewan Arts Councils.

Ms. Catherine Hanson, representing the Saskatchewan Drama Association.

Ms. Jan Delage, Chair of the former arts strategy task force.

Mr. Patrick Close, representing the former arts strategy task force implementation management committee. And also from that committee is Mr. Bill Klebeck and Mr. Peter Sametz.

So you can see from the group that is here that the interest in the arts and cultural community of this province is very diversified, is alive and well as represented by the interests of all these individuals who have taken the time to join us for second reading today.

And I'd like to ask all my colleagues to welcome them to the House. And I also want to extend at the same time an invitation to any member who has time in their schedule this afternoon to join us later after second reading for a tea in room 218.

Please join me in welcoming these distinguished guests today.

Hon. Members: Hear, hear!

(1430)

SECOND READINGS

Bill No. 51 (continued)

Hon. Mrs. Teichrob: — Thank you, Mr. Speaker. Bill No. 51, The Arts Board Act, 1997 introduces an enabling framework for bringing Saskatchewan's family of the arts together within a renewed and revitalized Saskatchewan Arts Board.

Adoption of this legislation will take the arts community along a productive road towards unification of arts funding and programing support within one agency. It will create an updated, effective, and efficient governance model for the Saskatchewan Arts Board. It will encourage celebration of the artistic endeavours of the professional and avocational arts as well as the arts of aboriginal peoples and ethnic communities.

Created by an order in council of the Government of Saskatchewan in 1948 and established by provincial legislation in 1949, the Saskatchewan Arts Board is the oldest arts support agency in North America. It has served as a model for many such arts agencies in other jurisdictions.

The Arts Board Act has served Saskatchewan citizens well for 50 years. In preparation for the future, this Bill proposes to revitalize the Arts Board through an updated mandate and purpose, renewed principles, and new enabling provisions in keeping with the present times.

The Bill is framed in clear language. The proposed legislation affirms and strengthens Saskatchewan's historical commitment to arm's-length decision making in funding the arts.

It provides a mandate to the Saskatchewan Arts Board to establish community advisory processes by which the arts communities can be involved in operational and program policy development.

The proposed legislation also empowers the board to hire its own executive director. It provides for the appointment of no less than one-third of the board of directors directly from nominations presented by the professional and avocational arts communities.

Mr. Speaker, this legislation brings to completion years of consultations and examination regarding the future of arts funding in Saskatchewan, a process begun formally in 1989.

This Bill is being brought forward by our government in response to recommendations of the Saskatchewan arts strategy

task force of 1990, the arts strategy task force implementation management committee of 1993, the ad hoc cultural restructuring committee, 1993; and most recently through proposed amendments provided by the single arts agency working group in 1996.

Our government established the single arts agency working group, comprised of one representative from each of the Saskatchewan Arts Board; the Saskatchewan Council of Cultural Organizations, known as SCCO; the community-elected arts transition team; the Federation of Saskatchewan Indian Nations; the Metis Nation of Saskatchewan, and Saskatchewan Municipal Government.

After consultations with the arts community, and after reviewing the evolution of arts funding and relevant legislation and policies from around the world, the single arts agency working group presented its final report to government in 1996. The working group considered and compared the philosophical foundations of the single arts agency concept with that of the philosophy under which the 1949 legislation established the Saskatchewan Arts Board. It came to the conclusion that the underlying philosophy of that innovative Act of 1949 had not changed. Given the extensive nature of the proposed amendment submitted, our government resolved to repeal The Arts Board Act and put forward in its place The Arts Board Act, 1997.

Our government, Mr. Speaker, believes in strengthening the community and in collaborative and cooperative action. The Arts Board Act, 1997 requires the board of directors of the single arts agency to be representative of the community it serves.

Moreover the board will be required to establish processes not only to obtain arts community input on operational and program policies, but also to establish adjudication processes which involve assessment by qualified persons from the professional and avocational arts communities.

Mr. Speaker, our government's commitment to cooperation and community is self-evident in this Bill. The Act establishes a community-based nominations process for appointments to the board of directors — a first for Saskatchewan arts community.

The Arts Board Act, 1997 will confirm the Arts Board's accountability to the government and the people of Saskatchewan. It will strengthen the arts community and make it an integral part of the decision-making process.

This legislation proposes further that the new Saskatchewan Arts Board supports public access to and participation in the arts, fosters excellence in the arts, encourages quality and creative expression and management of the arts, and promotes public appreciation and understanding of the arts.

In carrying out its mandate and fulfilling its purposes, the Arts Board will be expected to adhere to the following principles: access to and participation in the arts as well as innovation and excellence in the arts; respect for aboriginal traditions and protocols governing the use of traditional names, stories, songs,

and other art forms; and respect for the cultural diversity of Saskatchewan.

With a view to maximizing access and ensuring that access is available to the people of Saskatchewan, this legislation encourages the renewed Arts Board to take advantage of partnership opportunities through working with universities, the private sector, and the aboriginal community.

This legislation, in bringing together responsibility for all artistic endeavour within one agency, encourages the development of a critical mass of activity in the arts in order to strengthen the arts for the benefit of this and future generations of Saskatchewan people.

This Bill mandates the board to facilitate public access to and participation in the arts, and therefore, Mr. Speaker, Saskatchewan's rural and urban citizens will be the first beneficiaries of the work of our artists as they celebrate and give artistic expression to our unique Saskatchewan culture.

This legislation also pioneers provisions for equity investments in arts enterprises through support for potentially profitable arts projects as, for example, the emerging world of new media may make possible.

This Bill also authorizes the new Arts Board to develop a provincial arts endowment fund. The provisions in the Bill for equity investment and the new endowment fund will encourage increased private support for the arts, and will thus enable increased self-reliance in the arts.

In order to implement this legislation, much transitional work has yet to be done through cooperation with the Saskatchewan Arts Board and other directly affected stakeholders. We will work very closely with the Arts Board and all affected stakeholders to rationalize funding for the arts and to develop regulations for the nominations process and equity investments.

While it is government's role to establish through legislation the mandate for an agency, to determine its governing principles, structure, and accountability, it is clearly the role of the new Saskatchewan Arts Board to manage its own affairs within the mandate provided for in this Bill.

In order to bring clarity of definition to the roles and responsibilities of both the government and the Saskatchewan Arts Board in the years to come, it is my department's intention to work closely with the Arts Board to develop a mutually accepted protocol agreement which would clearly define the respective roles of government and the Arts Board.

It is our government's intention to proclaim the Bill after early completion of the regulations called for in the legislation and after satisfactory progress toward the rationalization of funding and the development of the protocol agreement.

Taxpayers, Mr. Speaker, will be better served by an integrated funding agency supporting the comprehensive range of excellent arts activities which have won for Saskatchewan not only many prestigious awards but, more importantly, a

respected place in both the Canadian and the international community.

Through this proposed Bill, Saskatchewan will once again be at the forefront of developing new models for supporting the arts in Canada. Promoting Saskatchewan's artistic excellence, cooperation, public access and participation, and strengthening community, equity, cultural affirmation and accountability are valued principles of operation for our government, Mr. Speaker.

This Bill lays the foundation for the future cultural well-being of Saskatchewan, ensuring that all our citizens have access to the best the arts have to give us and ensuring that Saskatchewan's cultural life remains in a position of strength as we head into the new millennium. The result will be enhanced quality of life for all Saskatchewan people.

Mr. Speaker, I'm pleased to move second reading of this Bill, Bill No. 51, The Arts Board Act, 1997.

Some Hon. Members: Hear, hear!

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, I am pleased to have this opportunity to speak to Bill No. 51, An Act respecting the Saskatchewan Arts Board.

Saskatchewan has an extremely rich cultural history, and the long-standing tradition of the Saskatchewan Arts Board has set an example for the rest of North America. However, during these times of fiscal restraint the Arts Board, along with similar organizations across Canada, have faced incredible challenges while they have watched their funding gradually slip away.

People who are not truly aware of the value of the arts often question the need to provide government funding for arts organizations. Many of these people are simply not aware of the incredible contributions that the arts community makes to Canadian society. Therefore many of these same people simply cannot appreciate the role that artists play in our society, both culturally and economically.

For people who do need to know what impact that cultural industries have on our economy, the statistics are staggering. They're overwhelming. The contributions of the arts community in Saskatchewan and across Canada cannot be ignored. In fact the federal Liberal government estimates that the cultural sector in Canada contributes approximately \$29 billion to the economy every year, and that the cultural sector employs over 900,000 people.

Now these are just figures that relate directly to the bottom line, but we cannot ignore the other offerings that the cultural community makes to Canada. The wide range of artistic mediums that are being cultivated here in Saskatchewan all have the potential to stimulate creative and critical thought in our society.

The success of Saskatchewan artists is plainly evident. Our province has produced world-renowned writers, songwriters, musicians, filmmakers, visual artists, painters, sculptors, and the list goes on and on. All of these artists help portray unique

facets of Saskatchewan's communities to the rest of the world.

The thriving aboriginal artistry that is originating in our province is one great example of unique Saskatchewan perspectives being communicated through art forms to the rest of the world. One of the changes proposed within Bill 51 sets out new guidelines regarding aboriginal traditions and the use of names, stories, songs, and other art forms.

The aboriginal communities throughout the province have an extremely rich and diverse history of traditions and customs that are often communicated from one generation to another through dance, sculptures, paintings, stories, and other art. Some of these colourful and vibrant exhibits were on display at the recent SIFC (Saskatchewan Indian Federated College) powwow held in Regina. Recognizing this special flavour of Saskatchewan's art community will hopefully help preserve some of these important traditions and customs for future generations.

Saskatchewan also has a burgeoning film industry. The small- and large-scale film productions being crafted here are bringing Saskatchewan critical acclaim.

There is also some very exciting work being done in other aspects of the visual arts. The variety of theatre music festivals held throughout the province every year and the thousands of people who flock to soak up this dramatic tradition are a testimony to the success of the arts industry in Saskatchewan.

Even Prince Edward has lent his name as a patron to Regina's Globe Theatre. Just a few years ago he was in the city and proudly accepted this honour.

(1445)

It would take me hours to give a detailed description of the various levels of Saskatchewan's art community and their commercial and critical successes. But I do think that it is a shame that more people are not aware of the wide variety of artistic events, exhibitions, performances, and displays that are so accessible in their own communities.

As for the artists themselves, while many welcome the benefits of commercial success, it is even more . . . it is often even more important for them to preserve the integrity of their creations.

My understanding is that this new legislation may open up new avenues of funding for the Saskatchewan Arts Board by encouraging more partnerships with private industry on artistic projects. Bill 51 will also allow the Saskatchewan Arts Board the power to invest in equity on projects, rather than just a straight grant.

I do realize that the future of the Arts Board is somewhat dependent on accessing new resources of funding, but I do question how these changes could potentially impact the integrity of the artists' work.

This Act also leaves much to the discretion of the minister by way of regulations concerning exactly what circumstances the

arts boards can invest in certain projects. And I am gravely concerned that the minister did not feel fit to include some of this criteria within the Act itself. People who do not appreciate the full impact of the artistic community on Saskatchewan society often raise questions about accountability for the distribution and allocation of arts funding. I believe that a more open and accountable legislative process concerning this Bill could also give the Arts Board even more credibility in the eyes of the public. So I do have concerns about this major portion of the legislation being left to be prescribed in regulations.

The executive of the Arts Board has held consultations throughout Saskatchewan on drafting this legislation during the past year, and therefore the government has had ample time to consider what laws should be implemented concerning future equity investments of the Arts Board. I find that leaving this particular section out of this Bill to be a glaring omission.

Mr. Speaker, overall it is my sincere hope that the legislative reforms proposed within Bill 51 will help to cultivate and foster new growth in Saskatchewan's art community. But at this time I am still gathering more input from some of the groups who will be directly impacted by these reforms, and therefore I move adjournment of this motion.

Debate adjourned.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 28

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Nilson that **Bill No. 28 — The Family Maintenance Amendment Act, 1997** be now read a second time.

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, as members of this Assembly know, I have a great interest in the well-being of our children in our province and throughout the country.

I believe that all legislation involving our children must be thoughtful and fully promote their well-being. Children depend on the adults — all adults — legislators, and parents of this province to assure their safety, their emotional, psychological, spiritual, and material well-being. And it is in my intent to do everything in my power to ensure that responsibility is met.

Mr. Speaker, there are many very serious issues involving children in Saskatchewan. There's the growing problem of child prostitution that I have been so strongly urging the members opposite to address. There are issues surrounding child poverty which continue to plague Saskatchewan today more than ever. These are problems that the government must do everything in its power to address, and address quickly.

We must also recognize that all children in Saskatchewan benefit from a strong and stable family because families give children a strong and solid foundation for the rest of their lives.

We must recognize that all policies of government must reflect support for those families and those children of those families. Well-functioning families are central in ensuring stable and orderly societies.

But, Mr. Speaker, the sad truth is that currently many families are coming apart at the seams. Husband and wives cannot always make their unions work, and as a result divorce is a reality in our society, and so is the break-up of common-law relationships.

As I've said previously, some predictors say that by the turn of the century, fully one in two marriages will end in divorce. That is an astonishing number. And we know there will be children involved in many of those cases. One would hope and pray that when marriages or other unions involving children do end, separation is as amicable as possible and is not fraught with bitterness, harming individuals and children unnecessarily.

But once again, Mr. Speaker, reality tells us something quite different. All too often it is the case that couples are bitter and resentful and that is why divorce becomes imminent. And that bitterness can intensify after the separation if our laws surrounding divorce are lacking in effective directions leading to orderly resolutions and satisfaction surrounding custody.

And so in many circumstances, this has led to children being used as bargaining chips in this game of bitterness and maliciousness. This is a tragic situation which we must work towards alleviating. Just because adults cannot work out their differences in a civil and civilized manner, that doesn't mean that they should be allowed to use their children to wreak revenge on their ex-spouse.

Mr. Speaker, I believe the overall intent of this legislation, as far as it goes, is good. Like the federal legislation that it mirrors, it does introduce some consistency in divorce settlements, in particular the level of child support paid by the non-custodial parent. The federal Act dealt with children of married couples, while this Act provides the same provisions for children born by non-married parents.

Mr. Speaker, the guidelines set out by this legislation will, I believe, introduce more fairness into the system as it relates to different cases. As my colleague from North Battleford stated in this House when he spoke to Bill 28:

Nothing can enrage a non-custodial parent more than learning that another parent in similar financial circumstances is paying far less in support payments.

And that's been possible in our system, Mr. Speaker. Under the system as it has existed, judges could and did make decisions that were all over the map. Such inconsistency was not fair and it was not just. There has got to be consistency from case to case, and that's the point behind the financial guidelines that will be set up through this legislation.

However the legislation also recognizes that circumstances are not always the same from case to case, and it recognizes that over time, circumstances do change. The legislation will allow

judges to override the guidelines in certain special circumstances, and that is important, Mr. Speaker. While consistency is a must in our system, we must recognize as well that the financial situations of families do change over time.

Mr. Speaker, I want to focus now on an issue that we've heard a lot about since the introduction of the amendments to the federal Act and then to this Act. And we heard about them last year as well when we were debating The Family Maintenance Act, when legislation was passed denying a driver's licence to those parents who failed to live up to their financial responsibilities to their children.

Mr. Speaker, beyond simple financial matters involving care for children, we must also deal with the whole issue of access. Many divorced parents have contacted me about this issue. They say that it's all too common that custodial parents are making it very difficult for non-custodial parents to maintain access and contact with their kids. This is what I mean when I speak of the bitterness of parents jeopardizing the well-being of their children.

Common sense tells us that any child will be better off with the stability of two good and loving parents. If this cannot be provided in one household, we must ensure that both divorced parents see the value of giving their children the benefit of two parents through equitable visitation and custody agreements. And we must ensure that these agreements are enforced on both parties.

Mr. Speaker, since becoming an MLA, I've heard many stories told by non-custodial parents who are responsible and do take responsibility for their children. They are up to date with their child support payments, and they go out of their way to make sure that their children enjoy a happy, stable life even though their parents are no longer together.

However quite often, these loving and responsible parents have their rights ignored by our system. Custody arrangements and visitation rights are sometimes ignored or denied by custodial parents, and there is precious little in our present system that's there to help these parents out. In these situations, Mr. Speaker, it's not just the non-custodial parents who are hurt, it's the children who are robbed of the company of one of their parents because our system doesn't do enough to enforce joint custody arrangements.

Mr. Speaker, in doing consultations regarding Bill No. 28 for the past couple of months, I've come to see how our system can be extremely unfair to non-custodial parents. While this legislation quite rightly addresses the problem of non-payment of child support, it doesn't look at the other side of the issue.

Yes, non-custodial parents do have responsibilities to their children, and we do everything in our power to make sure that they live up to those responsibilities. But what about the responsibilities of the parents . . . the parent who does have custody? What, in this law or any other law, compels them to allow reasonable and consistent access to their children?

I'm told, Mr. Speaker, that the present system just does not

protect parents enough when it comes to accessing their children. That's why I think it's important that any law that is passed in this House regarding parental responsibility must look at both parents. I believe our federal counterparts have seen this as a problem and have set up a joint committee to look at issues pertaining to custody and access.

Mr. Speaker, this Bill deals with the financial needs of the children of divorce. However, we must consider as well, their emotional needs. And that emotional need is not met when their parents fight for custody in the courtroom and then continue that fight for years after with one denying adequate access to the other. And our laws have to effect meaningful steps to address this problem for the sake of the children.

If the non-custodial parent fails to return his or her children in the time prescribed in the Queen's Bench order, they should be charged under the Criminal Code and, in theory, maybe even jailed.

However, the issues of access . . . this issue of access is not covered by the Criminal Code. If a custodial parent decides to deny access to the custodial parent for whatever reason, despite what the court sets out as the custody arrangements, the parent has . . . the parent who has denied his or her right to access must hire a lawyer, go to court, and make a civil court application. This is a ludicrous inequity that our system, both at the federal and provincial level, has got to deal with quickly.

We've got to figure out a system where our children cannot be used as pawns. We need a system that is fair to both parents, and in turn, fair to the children. We need a system that makes sense to both sides. Then and only then may we try to avoid some of the bitterness and the fighting that can and does do more emotional harm to our children than anything else.

While this Bill addresses one side of the equation, Mr. Speaker, I don't feel it adequately addresses issues on the other. And until we address both of these issues adequately through more comprehensive legislation, inequity will continue and the well-being of our children will continue to be endangered.

Thank you, Mr. Speaker.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I would like to make a few comments as well on this Bill that's before the Assembly, and some of the comments I will be making will have already been made by the members. But I think it's important and it's imperative that they are certainly brought to the forefront and continue to be an area of discussion that we look at in the future with and not . . . they're not necessarily met in this legislation.

One of the particular points that I really want to dwell on for a moment was just mentioned by the member from Humboldt, and that's the fact of access by both parents. I think it's a travesty, Mr. Speaker, that we have made light, if you will, of responsibility for the actions we take, especially when it comes to marriage.

It seems to be we've reached a point in our civilized democracy

whereby we find it easier for people to take action or begin actions or get involved in processes whereby they make a commitment but in the very near future find that, well maybe we made a mistake or maybe we don't feel we've got a responsibility to the partner we've chosen or what have you . . . Because our laws have become a lot more lax. We've basically said, it's really not all that bad for parents to separate. We're going to create a more easily . . . easier process whereby parents can find it easier to walk away from a marital agreement.

And in fact in our society we don't even have marital agreements any more. We find that many couples find it just as easy to cohabitate rather than enter a legalized agreement because they've come to the point of saying, well why take the time to officially recognize our partnership when down the road maybe it's just as easy to annul this partnership and not have to go through the legal process of divorce or what have you.

(1500)

Mr. Speaker, I don't think that answers a lot of the questions we have out there, especially when it comes to children who have been conceived and have been brought into this world by a couple, and their responsibilities.

And when I look at this piece of legislation and I recognize some of the things it's trying to clarify, one of the concerns I do have and we've talked about at length with different individuals . . . I have a couple circumstances that I want to raise with the Minister of Justice when we get into Justice estimates.

One of the big questions is the fact that certain partners feel that even though they have gone through a legal battle if you will, and in some cases a very messy divorce process, and the courts have awarded, if you will, maintenance — and in most cases it's the husband usually ends up with the biggest cost when it comes to maintenance and looking after children — even though the courts have awarded, okay this is the responsibility of the husband, this is the responsibility of the wife, and in many cases that may be having custody of the children and then allowing the father access, we find that a lot of times the father is the one . . . even though the courts have given, awarded, the financial responsibility and the courts make sure that that husband is held responsible to that financial commitment to that divorce settlement.

On the other hand a father may find that he is losing, time and time again, access to his children, because the wife can choose whether or not to give access, or to make sure the child is ready for the father to come and visit on a special occasion. And what I've found as I've talked to individuals who have found themselves in this process, I find, Mr. Speaker, even though the court has awarded it, there is no legal bounds, if you will, that enforces access.

The enforcement of the financial obligation is there, but as the member from Humboldt mentioned, if you want access you are forced — and this is just . . . it really boggles my mind that we would have a process like this — you are then forced to take civil action against your former spouse in order to see your children, even if your children are begging to see you.

Well what does that do, Mr. Speaker? All it does is puts more money in the hands of the legal community that's out there defending or fighting for the rights, so-called rights, if you will, of individuals.

And I think that's ludicrous. It would seem to me if the courts can award an agreement or process whereby a financial contribution is taken care of, and if they've offered access, then there's no reason why that access ruling should not be followed up as well.

And so I think it's . . . I think the member from Regina Centre talked about getting rid of the lawyers. Well I'm not exactly sure if we can afford to do all of that, but maybe there's many people in our society who would feel that way, based on some of the comments, and some coming from members opposite, and certainly some of the problems that people face and that come across our desks.

I think as I understand, this Act in making a number of changes is trying to clarify and regulate the process of instituting child support in cases of divorce, and the central changes that judges would be tied to a set of tables that set out the amount of support that a child requires according to the family's income level and region.

I think, if you will, as well, Mr. Speaker, the member from North Battleford touched on some objections that spring to mind about this system. And for example, does this tie the hands of judges so that they cannot recognize special circumstances in a particular family? We must recognize that every family situation is different, and different circumstances arise. And these are some concerns that I think need to be raised, we need to address and get clarification from the minister, when we have the opportunity of debating this Bill in Committee of the Whole, whenever that opportunity may come.

However, as both the minister and the Liberal critic have pointed out, these sorts of objections they say are balanced off by the bitter device of time-consuming, expensive process involved in setting child support from one case to another. Further, I note, as the minister noted, judges in Canada have already been using these tables for some time as a rough guideline in making their decisions.

I think, Mr. Speaker, in the interest of fairness, if these tables are to be used at all by the judicial system, then their use should be mandatory and universal. The benefits of doing this have already been mentioned — by minimizing the time that couples seeking divorce spend haggling over issues, we also reduce the bitterness and disharmony that this process engenders.

Mr. Speaker, I think — I think, Mr. Speaker, when we look at the circumstances that this legislation is trying to deal with, it is very imperative . . . and I've chatted with couples who have gone through divorce. I've chatted with couples who have sat down at the kitchen table and while they finally, basically acknowledged that they really didn't see a lot of reasons why they should stay together, even though they had real love for their children, but felt there was too many differences in their

personalities that maybe they had to separate just to try and save some of the love, and show their children they still cared for them.

And they would come to amicable agreements as to how to settle up and how to look after the children, in custody and what have you. It seemed every time they finally went to a lawyer to seek some guidance and legalize what they had come to as an agreement that they could live by, and show some understanding with, they ended up before the courts, even though that wasn't their intention originally. And as a result, it put them at loggerheads and the children are caught in between.

And as one parent mentioned to me, when you phone and you're asking if it's possible to see your children on the weekend and have the opportunity to spend a day with your family, and all of a sudden you're informed, no, the children won't be available — and you can hear the children in the background saying, but we want to see daddy, or we want to see whichever one of the partners — it's heart-rending.

I think, Mr. Speaker, the time is coming when instead of always looking at ways of making divorces amicable, maybe it's time, Mr. Speaker, we started looking at ways in which we can get couples to start sitting down long before they've reached that process and look at their responsibility to their children and to each other, and realize, and realize that working together, in the long run, is still the best benefit and the best example. And we will certainly enhance our society, rather than encouraging separations and divorces and then having to make . . . having to create legislation that makes the process less dirtier than it already is.

So, Mr. Speaker, I think there are certainly some circumstances that this Bill is trying to address. We would look forward to addressing some of the concerns we have with the minister when we get into Committee of the Whole. And I just wanted to add those comments to the record before we move through second reading on this Bill. Thank you, Mr. Speaker.

The Speaker: — Is the minister standing to close debate?

Hon. Mr. Nilson: — Yes.

The Speaker: — The minister is standing to close debate. And it's my duty to warn all members that he wishes to exercise his right to close debate. Once he has spoken, then that prohibits all other members from entering into debate. And if any other member wishes to enter the debate, they must do so now.

Ms. Draude: — Thank you, Mr. Speaker. I wanted the opportunity to speak briefly to Bill 28 and emphasis my support for what the member from Humboldt and the member from Moosomin has said. I think it's incumbent on this House, when we're dealing with this subject, that we look at both sides of the issue.

Yes, Mr. Speaker, we have to do all we can to ensure that the money that is owed in child support is paid out on time and in full. And we have to ensure that the amounts that are paid are fair to all sides. In particular, we have to make sure that the

amount is enough to allow the custodial parent to raise the children in the best lifestyle that is possible, taking into account the incomes of both parents.

The advent of guidelines in this regard is positive in that it will introduce some predictability and consistency in the amounts judges set in child support. And hopefully it will remove some of the adversarial relationships that play out in many of the cases.

Mr. Speaker, as a wife and as a mother, I can't imagine using my child as a tool to extract vengeance from my partner. Happily I have not been faced with the prospect of divorce or separation and I think my children have benefited from the stable home. But the constitution of the World Health Organization recognizes the advantage of a two-parent, functional home. It says, and I quote:

Healthy development of the child is of basic importance. The ability to live harmoniously in a changing total environment is essential to such development.

Mr. Speaker, I am very well aware of the many dedicated and loving parents in our province that are forced to raise their children alone through no fault of their own. And I'm not suggesting for even a moment that they are incapable of providing less loving or less stable homes. However, I also submit that, wherever possible, it's better to see children raised in a two-parent home with both a mother and father providing guidance, love, and support for their children.

However, I know that not all children are fortunate enough to grow up in a stable and loving, two-parent home. Divorce and separation are even more common today than ever before. Statistics tell us that we're moving toward a divorce rate that could be as high as 50 per cent in the next few years. We can only estimate what the separation rate is among common-law relationships.

Many children now find themselves in situations that see their parents living in separate homes, if not in different towns or provinces. While nothing can make such a situation ideal, we have to ensure that the children of these unions are brought up in as stable environment as is possible. That means encouraging both parents to keep in mind the welfare of their children first, last, and always.

Mr. Speaker, just like the member from Humboldt, I too have been contacted by many parents when it comes to the laws governing children's support and child custody. And a great many of the people who have contacted me have told me horror stories. They have told me about being denied access to their children even though it is their legal right. They tell me of the spiteful behaviour some custodial parents have towards their ex-spouses, and they tell me of the psychological harm this behaviour has on their children.

Mr. Speaker, just as we can set out financial amounts and guidelines that take away any of the doubt about financial responsibility, I believe our legislation must treat just as seriously the whole issue of shared or joint custody and

visitation rights. Is it fair that one parent can deny access to the other against the orders of a judge? Is it fair if the non-custodial parent fails to return the child in time, he or she can be charged under the Criminal Code, but on the other hand if the custodial parent does not live up to the letter of the judge's order, little can be done.

In these cases, non-custodial parents who are not granted their rightful time with their children must go to court to have the order enforced. I don't understand this. It's an unfairness that's in the law that I would hope governments at both levels will be dealing with. It's not good enough to enforce financial aspects of separation orders; we must be able to enforce custodial arrangements as well. And as much as possible, we should encourage equal time be spent with both parents to aid their growth and development.

Our children should never, ever be used as bargaining chips. They should never be used as tools by one parent to hurt the other. And they should never be subjected to this kind of behaviour. It just isn't acceptable. And it's most certainly not right. Anything we can lay down in legislation to avoid this situation should be done.

(1515)

Human nature, being what it is, will not make all custody arrangements go smoothly with the stroke of a pen. But we have to take the first step in ensuring that the law treats both parents equally. We have to make sure that both parents know what their responsibilities are underneath the law. We can't have a system which allows one parent to get away with failing to live up to his or her responsibilities when we go after the other under the Criminal Code. It's inequitable, Mr. Speaker, and in the end it's the children who are hurt.

Mr. Speaker, I urge the government opposite and the federal government to look at this subject when dealing with separation agreements and custody arrangements. Up to this point, I don't believe this has been a priority for any level of government. I urge the Justice minister to listen to parents who want nothing more than to provide as much love and nurturing as possible to their children.

Broken homes should not mean broken hearts, Mr. Speaker, and our system must avoid this. We must allow our children to grow up knowing two parents whenever and wherever possible. The kids, Mr. Speaker, must always be our first priority.

Mr. Speaker, the minister has offered to the people of this province a commitment to address some of the very real concerns of access and shared parenting. We'll be taking his word for this, and his commitment to heart, on behalf of the non-custodial parents. We're counting on the minister to recognize that there are two sides to every story and we're waiting to hear what he has to say to us today.

The Speaker: — Once again, I must advise all members of the House that the minister wishes to exercise his right to close debate, and once he's recognized, all other hon. members will be prohibited from entering debate. If any member wishes to

enter debate, then he or she must do so now.

Hon. Mr. Nilson: — Thank you, Mr. Speaker. It's my privilege to talk about The Family Maintenance Amendment Act again, and in that context, talk about some of the concepts of parental responsibility and shared parenting. Because I know, and I know from listening to my colleagues opposite, that there are many concerns around the financial aspects of the break-up of relationships that also play out into the lives of children and cause a great deal of distress for children.

And I think what I want to specifically say today — and I will expand on it when we get into committee and respond to questions — is that the issues of custody and access, or the issues of parental responsibility as it relates to shared parenting — if we can use some less loaded words — are at the forefront of the next area of discussion of family law.

And I guess what I would like to say is that we in Saskatchewan, thanks to the changes to The Children's Law Act in 1990, have had some of the most progressive remedies and processes for use in dealing with custody and access issues. But somehow some of these remedies have not been used. For example, we have some of the abilities to get orders to make up time if access has been refused, or we can get orders for costs if somebody is out money when they go to exercise access and they're refused. We also have the traditional contempt orders.

Unfortunately some of these processes haven't been used as well as they should have. So what we are doing, and one of the places that we received some information about this which was of assistance, was last year the Children's Advocate pointed out that about a quarter of the cases that they were dealing with in their office related to custody and access issues.

So coming out of that, and also out of our concern in the Department of Justice, we've set up an inter-agency working group on custody and access issues. This was done about a year ago. And this committee is chaired by people within the Department of Justice. It also includes people from the Department of Health, Department of Social Services, Department of Education, and the Children's Advocate office.

They are working on a discussion paper for Saskatchewan, the people in Saskatchewan. And we anticipate that this will be out next month or maybe by June, where we can get into a more detailed discussion of these issues of parental responsibility and shared parenting.

And it's clearly our government's commitment and my commitment that this issue is not going to just go away. We need to figure out some of the ways that we can do this. We'll look at other jurisdictions that have attempted to add some more penalties. We'll look at why some of the things that we have, which are better than most of the places in Canada, aren't being used as often. We'll also sit down with some of the parents — and many times it's the fathers who are somehow cut out of their children's lives — and find out why they end up not having the ability to exercise the access that they should.

While this is going on in Saskatchewan, and I think the member

from Humboldt alluded to this, the Federal-Provincial Territorial Family Law Committee — which is a committee of the various departments of Justice officials across the country, set up about 14 years ago — has been working on a number of priority issues. In 1990 and '91 they were given a mandate to deal with three priority items. They were: child-support guidelines, custody and access issues, and spousal support.

The intense effort that's gone on across the country is now all coming together on May 1 this year, as it relates to the child-support guidelines. But the work as it relates to custody and access issues or the parental responsibility — shared-parenting issues — is ongoing and we anticipate that, on a national basis, there will be now more discussion and hopefully within the year some kind of a paper and further discussion at that level.

So that's also coming, but that's one part where we as Saskatchewan are part of a national discussion.

The other thing is that I should say, in 1995 in Saskatchewan in the Department of Justice, there was a recognition that there were some difficulties as it related to exercising access, and at that time there were some changes made to the procedures used. And what happened was, supervised access was introduced as a service of the family law division of the Department of Justice. At the same time, parent education classes were increased.

And I guess what I would say is, there are a whole multitude of solutions to this problem and what we need to do is make sure that we're doing all of the things that we can to assist children live full lives, with the contribution and support of both their parents and all of their family. Thank you.

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

COMMITTEE OF THE WHOLE

Bill No. 28 — The Family Maintenance Amendment Act, 1977

The Chair: — I would ask the minister first to introduce his officials, please.

Hon. Mr. Nilson: — Yes, Mr. Chair, I'm pleased to have with me Department of Justice officials, Betty Ann Pottruff, who's the director of policy planning and evaluation; and Susan Amrud, who's the director of legislative services.

Clause 1

Mr. Hillson: — Thank you, Mr. Chairman. I understand that what we are doing today in introducing the guidelines is something that has been facilitated by the federal government and the intention is that all provinces will be introducing parallel guidelines. I wonder if the minister would tell us how this links into national policy and what he understands to be going on in the other nine provinces and the two territories.

Hon. Mr. Nilson: — Yes, I'd be pleased to answer that for you. The situation . . . And if you want I can go through each and every province and sort of explain it. But I think practically, what I would say is that this legislation comes forward as a result of a federal-provincial-territorial working group. And the goal obviously is to have all of this legislation in place by May 1, 1997 when the federal changes to the Income Tax Act take place and the guidelines are all brought into place.

And what I would say is that the guidelines are basically going to be brought in as discussed, except for the province of Quebec, and they have a slightly different understanding of how they're going to do that. But practically, the guidelines will be in effect everywhere on May 1.

Mr. Hillson: — Yes. Mr. Chairman. First of all, pardon me, I'd like to welcome our two officials, Ms. Amrud and Ms. Pottruff, to the legislature this afternoon.

And I'd like to ask the minister next: my understanding is that part of the underlying philosophy of the guidelines is that rather than there being a set cost as to how much it costs to raise a child in Canada, and how much it costs in Toronto versus Regina, that the underlying thought now in the guidelines is that the cost of raising a child is basically dependent on the income of the parents — the funds available in the family.

And related to that, I understand that the thinking now is that there isn't really a difference in terms of Toronto versus Regina — that the difference is income available. So I wonder if you could tell us, will our guidelines look much different in terms of the actual tables? Will they look much different than the tables which will be introduced in other provinces?

Hon. Mr. Nilson: — They will be the same tables because we're adopting the federal regulations.

Mr. Hillson: — So — pardon me — you're saying that even in terms of the dollars and cents, if the non-custodial parent earns X number of dollars, the order will be at the same figure whether Newfoundland or Ontario or Saskatchewan?

Hon. Mr. Nilson: — I think the answer is, the federal government has set up tables for the whole country. And those tables are province specific. So there is a different table for Ontario than Saskatchewan, and a different table in Newfoundland, for example. So we will be using the tables that relate to Saskatchewan and are set out in the federal regulations.

Mr. Hillson: — But am I correct if, from what I have seen, that the differences from province to province are quite slight; that in fact our figures do not look much different from the figures for other provinces. Although as the minister has said there, the federal government has introduced different tables for different provinces, but as I understood and from what I have seen, those figures in fact will not vary by much.

Hon. Mr. Nilson: — Well I'm not sure what your definition of slight is, but I think we probably agree. And I think the biggest difference relates to the tax rates in the province and that practically, otherwise the rates are fairly similar.

(1530)

Mr. Hillson: — Now on . . . of course I'm aware that the deductibility in terms of income tax is not retroactive. But notwithstanding that fact, the anticipation is that there will be a number of applications for variation of maintenance as a result of the new guidelines from either the custodial or non-custodial parent. Because of course as we have been discussing in this House, up until now the orders have tended to be all over the map up until now, and now we're trying to make them more standard.

I'd like to ask the minister if the province is anticipating a flood of applications before our courts for variation of child support; and if so, what mechanisms have been put in place, both in terms of the courts and obviously the related services of legal aid, etc. in order to deal with this anticipated new demand.

Hon. Mr. Nilson: — Well it's our estimate that there are approximately 12,000 cases were there could be some activity. We anticipate that maybe 50 per cent of those will undergo some review, and we have been working quite diligently at this because we knew it was coming; although the delay in the federal legislation and the regulations did put a bit of a, I guess, a scare into whether we would be ready. But we are ready. And I guess what I would like to do is explain to you what the implementation process is going to be.

The first thing is that there will be public education and communications which includes what we're doing here right now. Practically, there is a 800 number line on the telephone, — I guess it's an 888 line probably, since the 800 numbers are gone — on the provincial implementation of the rules. There's a similar one from the federal side of federal guidelines and implementation. The lawyer referral service of the law society has been enhanced so that clients can access family lawyers to get advice.

There's going to be parent education programs across the province. And basically these sessions will be set up to show clients how to use and understand the guidelines and see whether or not it's necessary for them to go into some amendment. Also we'll be distributing pamphlets, brochures, and videos about these things. And there have been kits prepared which have all of the forms which allow people to actually prepare their own application for amendment if that's necessary.

At the same time we've also been doing training. We've been training the lawyers in this procedure. We also have quite a number of mediators and Justice staff who are receiving training and information so that they're ready to answer questions if they work, for example, in a court-house across the province or . . . so that's another part. Legal Aid we know has quite a number of these clients as their clients, so we're going to be having some additional funds available to meet any increased load that this would cause.

We're also enhancing the court staff services so that the volume of cases will be met with some more people available. As well, we're adding another person in the enforcement staff as it

relates to registration and enforcement of these various orders.

At the same time we'll also be continuing to evaluate how these changes take place and make sure that if there are particular problems, so that people are frustrated or aren't getting the information that they need, we'll be able to respond and change the information or provide more services as necessary.

We also have an inter-departmental committee which is coordinating the work so that any problems that arise between provincial administration of this and the federal rules, well that will be dealt with as well. The other thing that I have done is I have a letter that is going out to all of the lawyers and mediators in the province, setting out as much information as we have about the whole process.

And we think that we're ready, but we know that sometimes you can't anticipate all of the needs and so we're quite willing to assist you if things should arise that you hear about before we do. And we'll gladly try to help respond to any questions that you get as well.

Mr. Hillson: — I'm interested in your figure of perhaps 6,000 orders. There will be applications for variation. And I want to know how that figure relates to the number of maintenance orders which are typically placed in effect in Saskatchewan in an average year. And whether . . . You've mentioned many of the services you're putting in place to deal with this influx, but what about the court system itself? Is there any concern that the court system itself will have difficulty dealing with applications for variation on a timely basis?

Hon. Mr. Nilson: — Well I'll give you some more figures so you can write them down if you want. We think that there . . . well we know that there are approximately 12,000 orders, support orders and agreements right now which affect about 30,000 children. So it's a significant number of Saskatchewan children that are affected by these orders or agreements.

And when we estimate that there'll be 6,000 where there is some change, well some of these may be changes by agreement where it will not involve much time in the court. I've met with the Chief Justice of the Court of Queen's Bench and he has been monitoring fairly carefully what's happening within the court. We think that we're ready — we know that we've got the bar onside. If in fact we are in a situation where we need more assistance, well then I think we'll be able to work with the various parts of the system to respond.

Mr. Hillson: — Mr. Chairman, my understanding is that a generation ago in fact only a small number of child support orders were honoured, and through various measures that have already been put in place in terms of enforcement, that that figure is much higher now. I wonder if you could indicate in percentage terms where we are at now in terms of the honouring of child support orders.

Hon. Mr. Nilson: — Well I think you are correct, that before we ended up as a society — I think I should put it like that — but with the government leading the way, to enforce support orders, I think approximately 25 per cent of the orders and

agreements were met. I am pleased to say that we're now up close, about 85 per cent. So it's a substantial increase and I think it's a very positive thing for the whole community.

Once again it's parental responsibility that is being assisted, but also I think it's making sure that children are the main beneficiaries of this and that they have as much assistance from, usually the non-custodial parent.

Mr. Hillson: — Mr. Chairman, while I definitely applaud the improved enforcement measures we have in this province to enforce payment, it seems to me that the first step in the process obviously is putting in place a sensible and reasonable order to begin with. And while I realize that the guidelines are an attempt to make that happen — so that it is a standardized order and that it has some basis in reality — I think one of the problems in enforcement we've had in times past is that the father has, frankly, disappeared. He's ignored court proceedings and the end result is that a quite an unrealistic order has been put in place.

And this has created, I think, unnecessary hardship on our maintenance enforcement office and on the courts because they are . . . our maintenance enforcement is charged with the responsibility of enforcing an order which really just isn't realistic.

Now does the . . . do the new guidelines address the situation where the non-custodial parent has just flown the coop? And we need some good information on that person's income in order to, say, make sure that the order we're putting into effect is a reasonable, sensible one, and one that should be enforced. So, as I say, we don't burden our maintenance enforcement office with trying to enforce orders that are unrealistic, albeit they were put in place in the first place because the parent wasn't cooperating properly with the process.

Hon. Mr. Nilson: — Well I think you've almost answered your own question in a way. But I think practically, the way the legislation is set up is that if some . . . an applicant is applying for child support and the respondent has disappeared or left the province, they could file information as to what the skills or the abilities of that person are to make income and then a judge can make an award based on the estimate of the income at that point.

If in fact the fellow has an order against him which turns out to be beyond the ability to pay, well there's nothing preventing that respondent — usually the man — to come back to this court or to another court in Canada, I suppose, depending on where he lives, and present the situation as to income and get the order adjusted.

Mr. Hillson: — Mr. Chairman, I think I'm satisfied. I think my colleagues may well have some other issues they wish to ask you and your officials. But I would like just in conclusion, personally, to say that I appreciate your concluding comments in second reading this afternoon and the undertaking that you have given this House and the province that your department will look at the issue of enforcement of access and co-parenting agreements.

While the Liberal opposition certainly understands that the Bill before the House today deals with child support when we're not talking about custody and access, none the less the issue of access — whether it should or not — just is bound up with the issue of child support. And I know that, you know, lawyers and the experts say that they're separate issues, but inevitably the two just do get mixed up in a family dispute.

And I personally applaud and the Liberal opposition applauds the fact that we have as a province and as a society made enormous strides in the enforcement of child support payments. That's certainly a positive, positive step and the guidelines are a further positive step.

But I think that it is none the less important that we as a society and yourselves as a government make the point that the parents, presumably the fathers in most cases, who must meet their obligations and their responsibilities to pay child support, that also the state will be vigilant about their rights — namely their right of course to have a relationship with their children. And that we as a society consider that the non-custodial parent's right to a relationship to his or her children is just as important an issue as the responsibility of that parent to pay child support. And I appreciate the minister's statement in that regard this afternoon.

I'd also like to say that while we realize that this may be an area that will be occupied by the federal government, pending action by the federal government in that regard, I would certainly encourage the minister to consider whether a violation of a custody access order under our Children's Law Act could become the subject of a provincial offence.

And I agree that this might be superseded by action from the federal government, but until the federal government clearly occupies the field, I think there is room for us as a province to say that violations of custody access orders under the provincial Children's Law Act can be the subject of an offence and therefore chargeable by the province rather than, as my colleagues have pointed out this afternoon, the only remedy presently available is for the access parent to spend more money hiring a lawyer and charging civil contempt, and with uncertain results other than that the access parent will incur a large legal bill.

(1545)

So I thank the minister for his statement in that regard today. I am certainly satisfied that the guidelines are a step forward in the development of family law in this province and in this nation, and I wholeheartedly support them. But as we force non-custodial parents to own up to their obligations and responsibilities, let us also as a province say we honour their rights and we respect their rights and we will enforce their rights. And even more important, we will enforce the rights of the children of Saskatchewan: one, to receive the support necessary for their upbringing; two, to as far as it possible, enforce their right to a good relationship with both of their natural parents. Thank you to you and to your officials.

Mr. Toth: — Thank you, Mr. Chairman. Mr. Minister, and to

your officials, a couple of the questions that I alluded to when I was speaking in . . . I guess the one thing I would like to have a bit of an idea — if you can give us a general idea — of what type of tables are we talking of here, and some examples of how this chart that you're talking of and bringing it in line with federal regulations, how it will work and how does it recognize varying family situations.

Hon. Mr. Nilson: — I am happy to answer that question. I actually have some copies of the tables as it relates to Saskatchewan, which I would ask that you give to the member from Moosomin, and the member from North Battleford a copy as well.

Basically the guidelines have been in public discussion for a couple of years at least, maybe longer, and what was done was an attempt to try to figure out the appropriate amounts. And I know that if you really want to know a lot about this, I could probably get you about 10 inches of single-spaced paper trying to explain all of the different theories about how one does this.

I think in the final analysis the Federal-Provincial-Territorial Family Law Working Group Committee came up with some proposals which they then presented to the ministers and the federal minister, and it's on that basis that we proceeded.

I think practically, all of the education and information that I talked about in response to a previous question relates to, how do these guidelines affect existing orders and how do you figure out in your own unique situation how they apply to you.

I think the other thing I should say is that the legislation is set up so that in those situations that aren't sort of an average situation, then the court is given the power to make the appropriate adjustments.

Mr. Toth: — Thank you, Mr. Minister. I believe, Mr. Minister, you had indicated to the member from North Battleford that when the federal government sends charts out, the charts have been adjusted for each province. There's been some, if you will, fluctuations to recognize the different circumstances that affect provinces.

I'm wondering as well, Mr. Minister, in regards to these charts as far as maintenance, if the charts or the suggestions of maintenance take into consideration different circumstances that families may face. Like for example say there's a handicapped child involved or a child that would require more attention than say a normal, well, healthy child that can basically look after themselves, does this chart take that into consideration?

As well, does the chart as well address circumstances that will arise in child rearing? And I think of a couple of cases that have come across my desk where maintenance or settlement regarding maintenance was addressed and then as they — the unfortunate part is the children were younger — as the children became a little older and were at a place where they would like to have become involved in activities, whether through school or outside of school such as say piano lessons, which can become fairly costly, or involved in sporting activities. Does

the chart address circumstances like that, where children move through different processes as they get a little older and become involved in more activities?

And I know the concerns that were raised with me by the custodial parent was the original awarding of custody and of certainly financial support, as the children became older and four and five years later, certainly didn't quite meet the requirements or the needs. And then the custodial parent had to say to the child, well I'm sorry, I can't get you into the hockey program because I just don't have enough money to go around, or piano lessons.

So there's two different questions here, and I'm wondering, Mr. Minister, what this chart does to address those types of circumstances.

Hon. Mr. Nilson: — Well I think the way it works is that the chart is the base, and if there are special expenses that may relate to certain activities or needs of a child, then those would be argued and a judge could make an order over and above the guidelines. And as far as the changing needs of children as they grow older, or sometimes some of the needs are reduced as they grow older, then it is possible to apply to amend the order to take into account those increased or decreased expenses.

And so I think practically the tools are there to do this and basically the judge is given the final say. The guidelines are there as the base.

Mr. Toth: — Mr. Minister, this chart that you sent over to us, is this just part of the chart, just an example? Because I note the numbers you're quoting that we have on the chart here are . . . we're talking of people with substantial incomes when I see from 49 to 70,000. It would seem to me that someone making \$49,395, this doesn't seem to be a substantially high awardation for the maintenance of a child. And I understand just from some of the circumstances I've run into with regards to individuals who have talked to me, who are probably making maybe a third less than what this number is here, they've still been awarded even a higher amount than this.

And so I guess the question would arise, well this is a chart and it's a standard chart . . . I think you just made a comment a moment ago that judges still can take a look at and possibly award even a little higher than the chart. Or is this a chart that will be stringently adhered to based on the ability of a custodial parent to pay?

Hon. Mr. Nilson: — Well what I did do is I had a few pages related to different incomes. So I think if you want to look for the lower incomes, if you talk to the member from North Battleford, I think he has the lower income. I have some of the higher incomes here.

But I think what you should note is that these are the charts effective May 1, and so that they will be less than what your neighbours or friends talk about in their awards because these do not have any of the income tax included. These are the after-tax payments that are set out in the guidelines.

Mr. Toth: — Mr. Minister, does the legislation make allowance for situations where the custodial parent's financial resources are greater than the non-custodial parent's, or does it require that both parents contribute equally regardless of their ability to pay?

Hon. Mr. Nilson: — I think the answer to your question is that when the guidelines were set up there's an assumption that both parents will contribute. And so if in fact the custodial parent has more assets, that won't necessarily reduce the payment. But I think, you know, practically, that is something that maybe could be argued if there's special expenses; that a custodial parent that has more income than the non-custodial parent there may be some argument there that when the special expense issues arise that that could be a factor. But the guidelines themselves are set up on an average family with both parents contributing.

Mr. Toth: — Mr. Minister, under clause 4 of the current Bill, the new sections 3(4) through 3(6) provide a number of broad exceptions to the guidelines, as do several other sections. And I'm wondering, Mr. Minister, in view of these clauses, one has to ask why are we bothering with the legislation at all? Maybe you could just explain this a little clearer to me, please.

Hon. Mr. Nilson: — This wording that we have in our Bill is consistent with the federal Act and consistent across the country. Basically, what it does do is take into account the fact that the parties may enter into agreements relating to matrimonial property, which would therefore mean that the guidelines wouldn't apply because they've made some other arrangements, as it relates to the family farm, for example, or to some other larger asset.

And it also relates to the fact that parties can still enter into consent orders that are different than the guidelines if they so wish.

Mr. Toth: — And in view of that last comment, Mr. Minister, where you talked about different guidelines, if judges are still able to make their own judgement, how does this differ from the current situation where income charts are already used — this legislation versus where we're at today?

Hon. Mr. Nilson: — Well I think our Court of Appeal in Saskatchewan set out some of the rules around this and basically said that it wasn't possible for a judge to abdicate their responsibility to make a decision by just following the guideline. And so what it is is that they're of use to a judge as presumptions as to what an average family might need, and they're used in that way as guidelines.

What happens now after this legislation is in place, is that there's a . . . well basically the law sets out what the guidelines are. Up until this point, in Saskatchewan, we know that many of our judges have actually carefully reviewed the guidelines and have made many decisions using the guidelines for advice.

Mr. Toth: — One further question that I have on this, Mr. Minister. Clause 10 of the current Bill enhances the Crown's ability to make regulations with respect to maintenance

payments. And I'm wondering, why were these powers spelled out in this way? It would seem to me, Mr. Minister, that it would give or increase the danger of the intent of the Bill being changed through regulation. And maybe I'm misunderstanding that clause, but I'd like a clarification on this.

It would seem to me that we would want to know that the Bill is setting out guidelines that cannot be changed through regulation. And is this just a wording that may not really be reflecting this? And maybe you could clarify that, Mr. Minister.

Hon. Mr. Nilson: — Well I think once again this is a result of the federal-provincial territorial working group and the suggestions around the legislation. So this kind of a clause is in every piece of legislation, including the federal legislation, so that if there are some adjustments that need to be made, they can be made under the existing legislation.

Mr. Toth: — A further question to that. You mentioned . . . I think you made a comment, just as you were ending your comments, about the fact that it could be done through legislation. I think through legislation, Mr. Minister, that would be the appropriate way as that's more public and there's open debate on it.

But if I understand correctly, we're talking of regulations, regulatory change. Now if the regulations can be changed without it . . . not really being a public discussion or debate on it. So it would seem to me if it's legislation, then I would certainly agree with you on it.

If it's left and the wording leaves it open just to be done through regulation, Mr. Minister, then regulations can be changed quite easily, and especially regulations . . . when the regulatory changes come, an order in council just allows that process or that change to take effect. And therefore most people really don't know until they have to deal with it down the road. Whereas through legislation there is a public consultation, a public process to address that.

So maybe you could just clarify that for me, Mr. Minister.

Hon. Mr. Nilson: — Well the way I would clarify it is to say that we specifically have intended that this part will be able to be changed by regulation because it's anticipated that the amounts will be updated every two to three years by the federal government in consultation with the provinces and the territories. And it's not our intention that we would come back to the legislature for a change in the legislation but that we'd have that ability in the regulatory powers set out in the legislation.

Mr. Toth: — Then I have to ask one further question. When you're talking about regulations, you've made the comment about you're leaving it with regulatory powers so that if the federal government changes it we don't have to go through a process of always having to introduce legislation, which I guess I can certainly see the reason for it. And if it has to go through legislation, then it slows the process down.

The concern I have, Mr. Minister, is that someone might use the regulations to make a change outside of say changes coming down through federal regulations and maybe use it as a means of adjusting payments. And I think we need to be clear that that is not the intent. If I understand you correctly, that's not your intent.

The reason for the regulatory change is to make sure that you're in a process of being able to change based on federal regulatory changes, rather than just someone at a whim, down the road, provincially starting to change through regulation and change the whole intent of the legislation. That's the concern I have, Mr. Minister.

Hon. Mr. Nilson: — Well I think that I would respond by saying that this ability to change is something that we require in Saskatchewan and that it wouldn't only be triggered by a change by the federal government.

For example, we know that Quebec now is setting up their own scheme and guidelines under the federal, and complementary to, the federal legislation. So they're not using the guidelines exactly.

It may be that after a year or two or three of working with the guidelines as set out in the federal regulations that we would want to make them more Saskatchewan-specific type of regulation. That power to do that is included in this clause.

Mr. Toth: — So then based on those comments, Mr. Minister, what you're allowing even through the regulatory changes is certainly if there's areas you feel that are not really being addressed, you're getting a lot of issues or concerns being raised that the chart is not really meeting the need, then this process certainly allows for some changes that could, if you will, put some more meat or make sure that specific circumstances are certainly being addressed. Is that what you would suggest?

Hon. Mr. Nilson: — Yes, that's correct. And I think, practically, we know that this type of legislation cannot be changed without much consultation with people. And so that practically any change that would move away from the scheme that we have now would involve much consultation with the people of Saskatchewan.

Ms. Draude: — Thank you very much, Mr. Deputy Chair. And welcome, Mr. Minister, to your officials. I am pleased to take part in this discussion because I have a deep concern over this Bill because it's surrounding our children and their needs.

The member from North Battleford talked about shared parenting and access and the fact that this Bill is actually talking about support. But we're talking about one child, and both of these problems involve the children, and I don't think we can look at one without the other. We think that children are affected by everything.

I was waiting patiently — or impatiently — today to listen to the statement that you were to make surrounding what could be done about access. And I guess I can say that I was

disappointed because all I heard discussed was papers and discussion in the future and what's going to be happening later on. And what we're talking about is children right now and parents who are being deprived of each other, the need that they have.

And I think we were worried about — rightfully so — about money. But at the same time we're forgetting about the love and the support and the other part of life that makes it important for children to become real citizens in this province.

And I guess I'm hoping that during this next little discussion I'm going to be able to get from you what you think and feel; how you feel you can actually make a difference in your position as minister in this province to the children of our province so that we do have the parents involved.

Mr. Minister, The Children's Law Act of Saskatchewan states that children have a right to be parented by both parents. Why does the province of Saskatchewan enforce the custody under the Criminal Code and yet we don't enforce access?

Hon. Mr. Nilson: — Well I have a little bit of difficulty because it's . . . as you stated in your preamble, this is not related to this legislation that we're dealing with in committee now. But I do understand your concern that it relates to children. And so I guess practically, what I would say is that under The Children's Law Act in 1990, changes were made to that Act to add some more remedies to non-custodial parents to enforce access.

And those remedies, which aren't available all across Canada — we actually have more progressive legislation in this area than in many places — include getting an order to make up time. I mean get a specific order that says, lookit, if I can't have time now for whatever reason, whether it's youth . . . you know, the custodial parent thinks the child is sick or the custodial parent just is having a bad day and doesn't want to allow the access, you can get an order sort of replacing that time. That's something that we have now.

We also have the ability under that legislation as it relates to a judge making order for costs. You know a good example in Saskatchewan is if somebody drives from Estevan all the way up to North Battleford and then is told, well, you can't have access; he drives back and then has to go back again three days later or a week later. Well those kinds of costs, it's possible to apply to the court and get a judge to order that they be reimbursed from the parent who has refused access.

And so what I'm talking about here, these are civil remedies. Another civil remedy, a remedy outside an offence, is the contempt. And if a person is in contempt of an access order, ultimately a judge can order somebody to go to jail if they are in contempt of a court order. And those powers are there in The Children's Law Act now.

I know that you have some specific concerns about some orders that relate to creating a provincial offence — like a crime — and we have not gone that far yet. But what I guess I'm saying and what undertaking I'm giving to you is that we are

examining that.

We know in Manitoba that they have a law like that now, but it's . . . there are number of problems with it and we are wanting to, in consultation with them and other places that have tried this kind of thing that you're suggesting, that we know exactly what we're doing before we get involved in trying to criminalize custodial parents who refuse access to non-custodial parents.

Ms. Draude: — Thank you, Mr. Minister. I know that there . . . I can see why you don't want to jump right in and that there might be problems involved that you don't know what the answers are yet, but in the meantime are we better off not doing anything and waiting to make sure that it's perfect? Life isn't perfect, and I'm just wondering if we couldn't be helping some of these parents and children even more by acting on some of the suggestions or works that are done in places like Ontario. I understand that they are doing . . . they've done some changes to their enforcement Act, or their access Act, right now.

I know you gave me a couple of examples of what can be done by going through the judges and so on, but are we actually enforcing it? Like how many parents are actually able to do it? Can they afford to do it? The time frame is so long and every time . . . The months tick by and these children are growing up, and in the meantime, they have been denied access to their parents.

I'm just wondering what are you actually doing to enforce what can be done.

Hon. Mr. Nilson: — Well I would first like to comment on your comment on Ontario. Ontario tried to put into the provisions of their Act what we put in 1990 in Saskatchewan and they were defeated. So they don't even have the powers that we have as it relates to enforcement of access. So I think that that's one thing that you should keep in mind.

I think practically what we have done in Saskatchewan is we did come forward with The Children's Law Act changes in 1990 which expanded some of the provisions. We don't totally understand why some of the provisions aren't being used — the ones about make-up time, about costs, and some of these orders.

And so part of the whole discussion around the child-support guidelines and the education . . . Because we know that lawyers, mediators, whoever is involved in these cases get the questions about custody and access and child support, child maintenance; they all come together. We are increasing our education on these other remedies to make sure that people will actually use some of the things that we already have in force.

The other thing is that in 1995 we brought in court supervised access as a service of the family law division of the Department of Justice. And that's something that can be ordered by a judge which allows for supervised access. And this is done by contracting non-government agencies who provide this kind of assistance. At the same time, we're also increasing the parent education component of the whole family law division because we know that this is an area that is of some concern.

And so I think, practically, it's not accurate to say that we're not doing anything. It's something that is of great concern. We actually have legislation that's I think somewhat ahead of most of the other provinces in Canada. We're willing to take another look at this.

In fact we have been in the process of a year — last year — of looking at custody and access issues because we know from two, three, four years ago, at least, that once you start talking about the guidelines as it relates to support, it does raise questions about custody and access.

Ms. Draude: — Thank you again, Mr. Minister. And I do know that you're sincere and I do know that you're working on it. But I also think that we have an opportunity right now to be working on something that can really make a difference. And I just hate waiting when we've got children involved.

You said you didn't fully understand why some of the provisions aren't being used, and I'm wondering what you're doing to help understand — like what kind of steps are you taking right now to realize, to understand why people aren't using these provisions?

Hon. Mr. Nilson: — Well I'm having a little bit of difficulty in following the line of questioning that you're going at because you're really talking about the Children's Law Act and possible more amendments to that legislation. And what we're talking about today is really, you know, the child maintenance, or the Family Maintenance Amendment Act. And so it's a bit difficult to go way off into another track where we know . . . And it's our policy in the Department of Justice to consult widely in the community before we make any proposals about changes in legislation.

And as I said before, it's our intention to come out into the community with a discussion paper within the next couple of months to look at these issues as the next step in dealing with the children and access.

Ms. Draude: — Mr. Minister, I realize that we're on different Acts, but at the same time in discussions prior to today, I had understood that we were going to be able to have some concrete advice as to when we're going to be able to open up the other Act, or actually make a difference to the custody and the access part of it. So that's why I'm trying to get an idea, so we can talk to the parents in this province about what's happening to the ones that are trying to get access.

We talked about court supervised access . . . And I think you understand that it's something that non-custodial parents feel is . . .

An Hon. Member: — Derogatory.

Ms. Draude: — It's derogatory. They just don't . . . It doesn't feel good to feel like you have to have the court watching you. I think it's something that there are many, many parents, especially fathers, out there that are really upset about the

whole idea and they'd like to get an idea of what and when your government is going to try and change it.

Did I hear you say that within the next couple of months that there would be a discussion paper that would be available for us to look at?

Hon. Mr. Nilson: — Yes, that's correct. We've been working on this for about a year. And as you can understand, the child support guidelines in the federal . . . and the Act that we're actually talking about today, this is the result of many years of hard work by people like the officials that are with me today as well as many legislators and lawyers and everything else. And so you can't make changes in this area just without considering all of the consequences.

I think, practically, that what . . . You know the type of questions that you're asking today would be much better suited to the time of estimates because then we can go wide ranging over all of Justice policy and how we spend our time and effort in changing the law.

But practically, today we're dealing with The Family Maintenance Amendment Act, and that's basically legislation that's trying to coordinate this with the federal legislation which comes into effect later this week.

(1615)

Ms. Julé: — Thank you, Mr. Deputy Chair.

Mr. Minister, I'd just like to continue a bit with the questioning regarding access and enforcement.

I guess the enforcement — that is really the responsibility of the provincial government, for access, to ensure that access is in fact being given when the courts have already deemed that a certain time for access or a time period for access has been awarded by the courts. And so I think what my colleague and I are trying to get at here is why in the provincial system are the courts not taking more aggressive measures to ensure that access awards that have been given are being met with, without the non-custodial parent having to go back to the courts to get an award for access all over again?

So that's what we understand is happening. If in fact you have a different suggestion about this or explanation for it, I would appreciate it. But we do have parents out there that are saying this is what's happening. They are basically trying to access their children as has been outlined by the courts, and when they go to do that the custodial parent has got every reason sometimes for not allowing the visitation by the father, or the mother, in whatever case.

So if you could just tell me what the provincial minister here is doing to ensure that access is awarded in fact, possibly through punishing the custodial parents if they are not giving over access to a child as they have been instructed to do.

Mr. Kowalsky: — Mr. Chairman, I move we report progress.

Bill No. 47 — The Psychologists Act, 1997

The Chair: — I would ask first that the minister introduce his official, please.

Hon. Mr. Cline: — Okay. With me once again today, Mr. Chair, is Drew Johnston, who is head of the health planning and policy development branch.

Clause 1

Ms. Haverstock: — Thank you very much, Mr. Chairman. I'd like to welcome Mr. Johnston this afternoon. And now we have an opportunity, Mr. Minister, to continue our conversation that we've tried on many, many, many occasions, including this afternoon.

I would like to just begin by making very brief comments and then asking for the minister's views. First is, Mr. Minister, that you've chosen to introduce a Bill and bring before this House the new Psychologists Act which contravenes the official position of the Saskatchewan Psychological Association, whose mandate is the protection of the public through regulating this practice of psychology.

It comes as some surprise to people in that organization, primarily because they are the only — and have been the only — professional body to regulate the practice of psychology in Saskatchewan. And SPA (Saskatchewan Psychological Association) is not only nationally known, it is internationally known and recognized as an outstanding professional regulatory body for psychology in our province. And it really doesn't understand why its input has been — how they feel — virtually ignored. And I would like your explanation, please.

Hon. Mr. Cline: — Yes. I thank the member for the question, Mr. Chair. And as I'm sure the member . . . as I know the member knows, Mr. Chair, there are three organizations in the province that have people that practise in the field of psychology — the Psychological Society of Saskatchewan, the Saskatchewan Educational Psychologists Association, and the Saskatchewan psychologists association. And the member is correct that the third organization does not support all aspects of the legislation. But the other two organizations do support the legislation. So two out of three support the legislation.

And I think the member also knows that in fact there has been a lot of dialogue between the officials and also some politicians and the SPA. There's been a lot of discussion. In fact this matter has been going on for many years.

There are some aspects of the legislation that the SPA would support and there are some aspects of it that the SPA would strongly oppose. And unfortunately we're unable to come to a situation where the SPA supports all aspects of the legislation. And I think that is unfortunate. However the disagreement does not mean there's been no consultation. It means that there's been some consultation but unfortunately an inability to get a complete consensus on all issues.

Ms. Haverstock: — Well I do agree in part with what you've

said, Mr. Minister. I know that there have been consultations and that's not really what I'm referring to here. I know that people have not only had opportunities for input, they have been in good faith participating in what they felt was going to result in a collaborative effort.

I do want to make one comment before I proceed, and that is that SPA is the only and has been the only professional regulatory body in the province of Saskatchewan. PSS (Psychological Society of Saskatchewan) is not a regulatory body, nor is the educational psychologists' group. SPA is separate and apart from these two groups in that aspect.

And as I had commented with you earlier this afternoon, this group has not only done outstanding work, their work and their standard for regulation is something which has been recognized nationally and even further. They've done a tremendous amount of work and they most certainly did enter into all of these discussions in good faith.

If I may, and I'm going to take the liberty of doing this, just for the sake of conversation this afternoon, if I may — and I don't think I'm putting words into their mouths given the amounts of communications that I've had with people — they have felt that they made extraordinary concession, that there was movement being made to some agreement between the three different bodies to which you referred.

They have felt also, however, that when that was being reached, that this Act was put before the Assembly and that the progress that had been made virtually dissipated. And that has left them most frustrated, because they see this as very, very important legislation.

And I most certainly concur with you, as they would, that this has been a long time coming; that everyone of them agrees that every psychologist in this province should be registered; that they agree that there should be a way of ensuring a certain minimum standard in the province of Saskatchewan; that the profession should want to and will be responsible for policing itself. So there's no disagreement on those things at all, but there most certainly is a feeling of, let's say alienation that they have expressed because of some of the process that they have experienced in the deliberations on this.

And I'll give you an opportunity to respond, and then I'll ask some more specific questions.

Hon. Mr. Cline: — Well, Mr. Chair, the member is certainly correct that the SPA is the only regulatory body and the only body that's had experience with regulation. That is one of the problems we're trying to resolve, in the sense that we want the others to be regulated as well. And I know the member indicates agreement with that.

And I appreciate what the member is saying, that there have been compromises and good faith discussions with the SPA, the doctoral level psychologists. There has been some compromise on their part; there's been some compromise on the part of other people too. Discussions have actually continued up until fairly recently, because there is an agreement between the three

organizations on a House amendment related to section 23.

And as I said before, the discussions surrounding the legislation have actually gone on for close to two decades. And so one would be a bit optimistic if one thought that there definitely would be agreement on all aspects by the three groups. That unfortunately hasn't been our experience. But nevertheless, there's been compromise by the SPA, compromise by others, in terms of designating educational credentials after the word, psychologist.

And nobody regrets more than I do, I can assure the member, that there isn't complete agreement by all members of the profession on all aspects of the legislation. But I have every hope and faith that people will continue to operate in good faith. And under the transitional council of the legislation, if people cooperate and work together, I think that any outstanding concerns that there are can definitely be resolved.

Ms. Haverstock: — I most certainly hope so too. And I guess in part the reason I raise this with you in this forum is because in our conversation over the last part of the afternoon, there are many people who believe that they were negotiating in good faith and they no longer believe that that might be possible simply because they feel somewhat misled in the process. They really did believe that there was some agreement being reached as all three professional groups and that that was thwarted in some way.

Just for the sake of no further outbursts by the member of Regina South — no, I don't have a conflict of interest here because this is regarding registration for people who are not already registered; and so I don't have a conflict of interest.

Indeed, if I may, I'd like your comment on one thing. You probably read in the newspaper, as I did this weekend, comments that were made by some who took out a very substantial ad in large print. And I think you should have an opportunity to respond to that, Mr. Minister, even if our points of view differ. I think it's important for that to be on the public record.

In that publication of the ad or the notice if you will, it stated that Saskatchewan goes from one of the highest standards of psychological practices in Canada to the lowest. And I would appreciate your comments on that.

(1630)

Hon. Mr. Cline: — Well thank you and I welcome the opportunity to comment on that. The new Psychologists Act does not lower standards or make public protection more difficult, as is claimed in the advertisement. In fact the new Act simply recognizes the current standard and improves public protection.

At the present time our health and education services, particularly outside of Saskatoon and Regina, rely extensively on master's prepared psychologists to serve the public. These psychologists, I think it's very important to know, have never been regulated, which meant that employers could hire anyone

as a psychologist. And if a member of the public had a concern regarding the psychologist's conduct or competence, there has been no regulatory process for resolving the issue.

The new Act will regulate all psychologists in the province and not just a portion of them. It will also better protect the public by requiring at least a master's degree in psychology to practice — something that doesn't exist now — and restrict practice to the person's area of expertise.

The new Act also allows for the professional body to set standards of practice for those psychologists practising independently. Again, providing better protection to the public.

The new Act allows master's prepared psychologists to continue to use the title psychologist, which is the title they now use in the forums that I've referred to, and have used that title for decades. This is also the case in several other provinces, such as Quebec and Alberta.

It is unfortunate that not all psychologists support the new Act, but I believe that the Act, by regulating all people who purport to practise psychology, will provide better protection for the public.

Ms. Haverstock: — Well the one thing with which all people involved in PSS and the educational psychologists society, as well as SPA, would agree with you, sir, that we're all better off having everyone registered. There's never been one statement ever in 30-odd years since the first Act was brought in that would not agree with that statement. That's not what people are concerned about. It's the impression that is left with the public and, as well, the kinds of standards that they see perhaps changing, given what high standard there's been in the province before.

You alluded to both Alberta, which by the way has always had amongst lowest standards, and Quebec, which is changing theirs. And I'm surprised that where there is a province with the largest number of master's level psychologists in the country, which is Quebec, that they are now doing much of what we discussed earlier. They're doing things to try to . . . and they're just now going through serious discussion on this. They have problems with the massive number of people they have who have the least training to be doing the serious jobs that they're doing, and they're now looking into what they can do to raise the level of training for their master's level psychologists in the province of Quebec.

So it's an interesting kind of thing that the two provinces you cite as examples making it okay for us to lower our standards are the two provinces, one of which we would not want to emulate — next door — which I'll tell you about in a future question that I'll be posing, and the province of Quebec, which is now recognizing their own problems.

Now I just want to reiterate for the record — and I did this in second reading — I have worked with extraordinarily talented people who have been trained at the master's level, who have acquired over years of experience, a great deal of expertise in their field of endeavour. There is no question that we have

many people doing terrific jobs at the practice of psychology in this province who have master's degrees.

And I think where the difficulty comes in is when you're talking about a regulated body and how do we differentiate between them. We're not talking about differentiating on the basis of competency. We're not talking about differentiating on the basis of experience. We're talking about how do we differentiate between people in a particular field, and often we do that on the basis of training.

As you know, the average number of years for receiving doctoral level training in our province would be six. The average level of training for a master's degree would be two — three if you're including a thesis for some. And it's important for there to be some way of recognizing a differentiation. And that's really what a lot of people have raised here.

If I may I'm going to . . . And I know that you received this letter because I think all members of the Legislative Assembly did so. You can confer with Mr. Johnston on this; I'm sure he's had to respond. This is from Patricia Witzel, who's a registered psychologist in Saskatchewan in Saskatoon. And I'll just quote from the two different parts, one which kind of emphasizes what I started off with this afternoon in discussion, and then becomes a little bit more specific. And I'll just start in . . . it's halfway down through the first paragraph:

It is my opinion that the effort made by the Saskatchewan Psychological Association in this regard has been largely ignored and that responses by government officials to our concerns have been inadequate. This pertains not only to our requests regarding content and wording of the Act but also to our request that we be consulted with and listened to in the development of the legislation.

Further, despite many reassurances to the contrary, legislation is essentially being forced upon SPA.

And now the second last paragraph:

Numerous issues surround this legislation. The most central of these is protection of the public through ethical, competent practice. Intrinsic to protection of the public are, one, a supervision requirement for practitioners with less than doctoral level training; and two, title distinction between master's and doctoral level practitioners. Master's level training is not sufficient for carrying out independent unsupervised practice. Such practice must be carried out under the supervision of a practitioner with doctoral level training in order to provide adequate protection to the public and a minimally acceptable standard of care by most North American standards.

The Act must incorporate two-tiered registration (in other words different scopes of practice) with title distinction, thus clearly communicating to the public a difference in skill level between the two types of practitioners.

Now we did talk about the fact that there are people who have extraordinary skill in a particular part of psychology in which

they've practised for many, many years. And I would hazard to guess that those people are so recognizable in this province for the outstanding work they've done that anybody, regardless of their training, would be able to say, you have a problem with adults of childhood sexual abuse, that's the person you should send them to. Okay.

The problem becomes, when do we differentiate that that individual can do that kind of work versus going into clinical diagnostic work, okay. Who decides now — which would have been different before — to practice independently, but decides not to just work in that particular field, but to be able to go beyond what has been done before with no supervision at all.

And what you'll find, Mr. Minister, is that in provinces like Ontario, doctoral level psychologists continue to be supervised. And people who feel very strongly about their profession, the protection of the public, and ensuring that they continue to grow in their own field of endeavour, they continue to get supervision on an ongoing basis.

Why is it that we wouldn't want to require this, at this stage, where regardless of whether people have experience and are competent and so forth, that we wouldn't want to build in that kind of assurance for the people of our province. It's done, and I would hazard to guess, as standard practice, even amongst people who are practising in this province today at a doctoral level, that they meet with one another for supervision.

And I'm wondering why it is this isn't a legitimate concern that has been raised by Dr. Witzel in terms of supervision.

Hon. Mr. Cline: — I think Dr. Witzel's concerns are legitimate, in fact, and the . . . Let me say that there is room within the Act for the transitional council and ultimately the governing body to have different standards for different practices. So that I agree with the member that what it will want to do is decide what the person is fit to do professionally, get looking at their educational attainments and their experience. And one person may be qualified to do a certain range of activities and another person may do another range of activities or go beyond and do both the original range and other things.

So the legislation certainly contemplates that there will be different rules for different people. And that's not unusual in professional legislation.

I want to say that I do disagree however with the statement that has been made by some of the doctoral level psychologists that the master's level people they're said to have two years of training. In fact my understanding is that to get a master's degree in psychology they probably have had five or six years of university. And after they get their master's they begin to get some experience in their field. And these are not people that don't have any qualifications. They do have master's degrees in psychology.

Now in answer to the question, well why should people not be supervised and so on, well as the member knows, anyone can hang up a shingle right now and start a counselling service. And they're not supervised by anybody, they're not licensed,

and they're not regulated. And that of course is what we both agree we need to change.

In terms of what people should be allowed to do with the education they have and the experience they have, that should be determined within the profession itself. In terms of situations where they should be supervised or not supervised, that also should be determined within the profession, because that is what self-government of a profession is all about. And I suppose it's a point of contention that that government will now involve not only people with doctorate degrees in psychology, but it will now involve people that have master's degrees or educational psychology degrees.

But that is the whole purpose of the legislation — to bring everybody into one tent to try to regulate the practice of psychology. And our view is that people should act cooperatively, and that if they do act cooperatively, that they will come up with rules that address Dr. Witzel's concerns that are I think, very legitimate concerns, very legitimate concerns. And they do have to be addressed. But I guess I'm saying there isn't just one way to address them. They can certainly be addressed within the framework of the legislation.

Ms. Haverstock: — Well I appreciate your comments. I want you to know that I've never heard from anyone a question raised about the motivation for this Act. The concerns that are being raised are regarding the process and the content, not at all about the motivation.

The comment that I would like to make regarding the years of training — I mean if what we want to do is include undergraduate training rather than just the specific years for the master's degree, then we can change the six years for the Ph.D. level to thirteen and then we can change the master's to six. I mean if that makes anybody feel any better.

But I don't think it accomplishes anything except that there is a differentiation based on years of training and that years of training has to mean something or people wouldn't bother doing it at all. Why would any of us ever bother if we could accomplish in one year what it may take us four years to do otherwise? I mean it doesn't make any sense.

You would have received as well a memorandum from Agnes Sawchyn, and this is the one . . . this went to all members of the Legislative Assembly. If I may, I'd like to just cite a couple of things from this memorandum.

Agnes Sawchyn states that she has been of course in communication with the Association of State and Provincial Psychology Boards, otherwise referred to as ASPPB, on issues of registration and licensing of psychologists. And this is an alliance between both American and Canadian psychology regulatory bodies. We've always been a very proud member, the SPA in Saskatchewan, of this particular organization. And the mandate of this association is to foster and maintain licensure and certification standards to ensure the protection of the public.

(1645)

I'm going to give you a direct quote, and this is the following statement that Dr. Sawchyn states:

It is ASPPB's position that the training provided in master's degree programs is insufficient to adequately protect the public's interest and that while many jurisdictions credential master's level providers, almost all require that their services be supervised by a psychologist licensed at the doctoral level.

Now you may comment on that if you wish, because it really is a quote from a large organization throughout North America. But what I'm really quite interested in is this. She also includes some other facts in her memorandum, and I'd like your comments, please, on the fact that if this new Psychologists Act is implemented without amendments, Saskatchewan will not be able to participate in the ASPPB agreement of reciprocity. And there are other provinces that can currently do this, Ontario and Manitoba being the two provinces. Alberta, until it cleans up its act and raises its standards, most certainly could not. We, at this stage, most certainly can. And I'm wondering how you feel about the fact that once this passes, and if it passes unamended, we won't be able to any more.

Hon. Mr. Cline: — Well I think that, I think that that assumes that the governing body under the legislation will not come up with appropriate rules. But I have every confidence that people cooperating with one another can come up with rules that would satisfy that body.

But I want to say also to the member, and the member may be aware of this, that I've received . . . I realize that some members of the Saskatchewan psychologists association do not support the legislation. I respect their views but I don't always agree with them. But I want to say, the legislation is supported by some doctorate level psychologists who have indicated their support for it, by many MA psychologists, of course, but also by the Psychological Society of Saskatchewan, the Saskatchewan Educational Psychologists Association, school divisions in — these are public school divisions — in Moose Jaw, Regina, Prince Albert, Saskatoon, and Northern Lights; catholic school divisions in Moose Jaw, Saskatoon; and also the Saskatchewan Association of Health Organizations, the Moose Jaw Health District, the Saskatoon Health District, the Saskatchewan Association of Social Workers, the Registered Psychiatric Nurses Association of Saskatchewan, the departments of Social Services, Justice, and Education.

Well I guess the point I'm making is, there may be some organization that doesn't support the legislation; there are many organizations that do.

But what I would like to do is to say to all of the psychologists — whether they're doctorate trained, at master's level or educational psychologists — let's work together and cooperate and within the professional organization come up with standards that both regulate people and, if possible, meet the requirements of the organization the member refers to.

And there's nothing in the legislation that says that the governing body can't talk about issues like the supervision

that's required and what people are qualified to do. And if people work together in good faith and cooperate, they can come up with appropriate rules. I think there's some suspicion that perhaps they won't. But I think they can. And that's why I don't think there's a problem in the legislation in that regard. I think it can be dealt with, notwithstanding the legislation.

Ms. Haverstock: — Well I'll just make a brief comment on your comments and then I'll go back to my question.

The bodies that you cited, whether they're health districts or the Psychological Society of Saskatchewan, the educational psychologists association, and so forth, none are regulatory bodies. None ever have been regulatory bodies. There's only one organization that has been a professional, regulatory body for the field of psychology in the province of Saskatchewan and that one regulatory body in the province of Saskatchewan for psychology is the Saskatchewan Psychological Association.

So I think that if we're talking about what group has invested time, effort, money, research, and so forth into this very issue that we're talking about — and that is licensing and registration for the protection of the public — it is only one group out of those, and that is the Saskatchewan Psychological Association.

Going back to the Association of State and Provincial Psychology Boards, I'm wondering if it concerns you that we may in fact not be able to any further participate in an agreement on reciprocity. That was my specific question.

And I have another that actually goes along with it that perhaps you could answer at the same time. Because you would have been sent the same letter that I was from the Association of State and Provincial Psychology Boards, where it's quite clear what their statement is. I mean it's about as unequivocal as you can get.

And I'm wondering if you can tell me, Mr. Minister, along with responding to my previous question, what exact steps did your department take to examine the implications of the proposed changes to The Psychologists Act and what that would have on the overall reputation as far as our province is concerned. Because we've always had such high, high standards for certification and licensing.

Hon. Mr. Cline: — I want to say to the member that yes of course, if anyone is opposed to the legislation, whether it's a doctorate psychologist or a body external to the province such as the member has referred to, that certainly is of concern to me and the government. But this exercise, like every policy decision, is a matter of balancing different interests. And many of the local organizations within the province strongly support the legislation. They see it as serving the public interest. And while I would be concerned if some international body says they don't like the legislation that we want to pass here in Saskatchewan, I'm also concerned if we have a situation within the province where we have people able to practice psychology without being licensed or regulated and without any rules to protect the public.

I believe that if people cooperate and work together within the

new professional organization, there is a good possibility that they can meet the standards that the organization the member has referred to may set. I want to say also that we did examine the Agreement on Internal Trade that the provinces are parties to which, as I understand it, tries to say that the provinces will respect one another's rules in terms of qualifications of people and mobility.

And we believe that the legislation that we propose is more consistent with what most of the provinces are doing than the legislation we have today, which restricts regulation just to the doctorate level. So we think that what we're doing is consistent with what most of the provinces do. We understand that not everybody can support it or will support it; but we believe that as a result of balancing all the interests of all the people that work in psychology and the people that employ them, that there is a pretty good consensus that this is the way to go, even though not everybody can agree with all aspects of it.

Ms. Haverstock: — Thank you, Mr. Minister. I guess I'll go back to my initial question of two times ago and that is regarding . . . and just so you know, the Association of State and Provincial Psychology Boards have not taken a stand of disagreeing with this legislation, okay? It's not their position to either agree or disagree with our legislation in Saskatchewan.

What they did was to simply make a very specific statement regarding . . . And they are the representative body of virtually all provincial and state psychology boards throughout United States and Canada. That's who I was citing here. And they have made an unequivocal statement which in fact supports the stand taken by the Saskatchewan Psychological Association. It's not a stand against your legislation; it is in support of the standards that have always been held by SPA and continue to be held by SPA.

And I think what it does is give credence to the concerns that they've raised, since this is the major regulatory body to whom all people go as far as the data from the examination for professional practice in psychology, the EPPP — which any lucky person who has had to go through will know how really wonderful those examinations are.

So I'm still curious as to how your government feels, and your department feels, about the fact that we now qualify, according to this body. This association thinks that we have great standards in the province of Saskatchewan. Once this legislation passes, if it is unchanged, we won't even qualify to be part of their agreement of reciprocity. Now that was my question.

And my second question was, what exact steps did the department take in looking at, not simply the implications of this in Saskatchewan on psychologists, but what implications it has as a province and the profession of psychology, and how we are perceived in the nation and in North America.

Because I can tell you now that all one has to do is read in the field of psychology to know how our standards are held in high esteem now. And I think that it stands to reason that the group that has been perceived as the regulatory body to date for the

profession of psychology in this province does not now want to compromise its standards.

So I'm most interested in, first of all, if you have concerns about the fact that we would now, if the legislation stays the same, we would not be part of the agreement of reciprocity that we are now a part of. Okay? If that concerns you in any way.

And secondly, what steps were taken to look at this in a broader context, not just in its narrow framework. Because it's simple by comparison if we're looking at what implications does it have for us in our reputation as providers of psychology to the public in the whole context of North America.

Hon. Mr. Cline: — Well I've tried to answer the member. I've said that if the member says that this international body says that we won't be able to be part of the reciprocity agreement that they promote, then of course that is of concern to me.

However, there are other things that are of concern to me, which include the fact that we have people practising psychology in the province of Saskatchewan who are not licensed or regulated. And this legislation is necessary because it says that all people who practise psychology will be licensed and regulated.

And so balancing those concerns, I believe that it is in the public interest, for the protection of the public, a good thing to proceed with this legislation. And that's what we propose to do.

It's unfortunate if there are some people from outside our province that, notwithstanding the fact that our legislation will be consistent with most other provinces, find that this legislation is somehow wanting from their point of view or our ability to participate in the reciprocity agreement. But from my point of view, it's important to license and regulate people that want to call themselves psychologists.

And if we get right down to the issue, I think I'd also have to say that everybody agrees that everybody should be regulated and this argument is really over whether people should be able to call themselves psychologists if they don't have a doctorate. That's what it boils down to. And we think they should be able to; some think they shouldn't be able to. But I think really once we agree that everybody needs to be regulated, the dispute really is over what we call psychologists.

And frankly I think there's a little bit too much excitement over what really is not that important, that important an issue, if we have a cooperative relationship within the governing body that makes sure that whoever calls himself or herself a psychologist has the reasonable qualifications to do that job which such a body would license them to do.

Ms. Haverstock: — I guess it sounds like it's one person reiterating what they've already said to another person reiterating what they've already said. There is no question that we all want everybody registered. There never has been a question. There isn't a question now. That is not the question, okay. We don't have a concern there. We can just all agree to agree for a change.

The question that I raised was about standards.

The Chair: — Order, order. It now being the hour of 5 o'clock, this committee will stand recessed until 7 p.m. later this same day.

The committee recessed until 7 p.m.

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