

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
April 19, 1995

The Assembly met at 1:30 p.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. D'Autremont: — Thank you, Mr. Speaker. I have petitions today to present from communities of Yorkton, Springside, Theodore, Vanguard, Hazenmore, Ponteix, Yellow Creek, Kinistino, and the prayer reads, Mr. Speaker:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to support Bill 31, An Act to amend The Saskatchewan Human Rights Code (Property Rights), which will benefit all property owners in Saskatchewan, and specifically firearms owners, in order to halt the federal Liberal government from infringing upon the rights of Saskatchewan people.

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

I so present, Mr. Speaker.

Mr. Goohsen: — Thank you, Mr. Speaker. I have a new petition today that I will read to you:

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

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

That a proposed Battle Creek dam would improve the ability of retaining water for licensed water users and for irrigation for forage crops;

That such a dam would improve ability for flexible and efficient water management and reduce susceptibility to drought impacts for irrigation.

Wherefore your petitioners humbly pray that your Hon. Assembly will support the proposed Battle Creek dam project and work with the federal government with an end means to proceeding with such a project.

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

There's 163 petitioners, Mr. Speaker, and they're mostly from the Consul and Vidora area.

I will read the prayer of this other petition.

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to allocate adequate funding dedicated towards the double-laning of Highway No. 1; and further, that the Government of Saskatchewan direct any monies available from the federal infrastructure program towards double-laning Highway No. 1, rather

than allocating these funds towards capital construction projections in the province.

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

And these come from all over Manitoba, Saskatchewan, and Alberta, Mr. Speaker, and I'm happy to table all of these today.

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, I as well have petitions regarding the Battle Creek dam project and the need for it. Mr. Speaker, these petitions come from the Consul, Maple Creek areas, Golden Prairie, of the south-western part of the province. And I'm pleased to be able to present these petitions on their behalf this afternoon.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I as well would like to present some petitions to the floor of the Assembly.

Wherefore your petitioners humbly pray that your Hon. Assembly will support the proposed Battle Creek dam project and work with the federal government with an end means to proceeding with such a project.

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

And this petition is signed by individuals from the Vidora, Consul, Maple Creek, Frontier, and Shaunavon areas of the province.

Mr. Britton: — Thank you, Mr. Speaker. Mr. Speaker, I too have a petition and I will read the prayer.

Wherefore your petitioners humbly pray that your Hon. Assembly will support the proposed Battle Creek dam project and work with the federal government with an end means to proceeding with such a project.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, these come from mostly in the Consul area, and I would like to table that at this time.

Mr. Neudorf: — Thank you very much, Mr. Speaker. I also have some petitions I would like to lay on the Table this afternoon, and I will read the prayer, Mr. Speaker.

That the petition of the undersigned citizens of the province of Saskatchewan humbly showeth that individuals in the communities and surrounding areas of Hague, Hepburn, Rosthern, Waldheim, Laird, Duck Lake, and Beardy's First Nation are currently being discriminated against by SaskTel for choosing to live in rural Saskatchewan, and that these residents must pay for long-distance charges that other urban and rural residents do not; and further, that these long-distance charges are preventing residents in these areas access to everyday and emergency services such as hospital, ambulance, doctors, church, RCMP (Royal Canadian

Mounted Police), and schools.

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to urge SaskTel to expand the Sask Valley long-distance boundary.

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

Mr. Speaker, these residents have signed from the communities such as Hague, Hepburn, Rosthern, Waldheim, Duck Lake, Laird, and Beardy's First Nation as well. And it gives me pleasure to lay these on the Table at this time.

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 oppose changes to federal legislation regarding firearm ownership.

And of citizens of the province petitioning the Assembly to allocate funding to the double-laning of Highway No. 1.

INTRODUCTION OF GUESTS

The Speaker: — Earlier today, at Government House, tribute was paid to 16 Saskatchewan recipients of national and provincial honours. These 16 recipients and their guests are seated in the Speaker's gallery. We want to recognize them in the Legislative Chamber today. I want to call upon the Premier, then the member from Moosomin, on behalf of the Leader of the . . . I'm sorry. I'll call upon the Leader of the Opposition and then I'll call upon the Leader of the Third Party to make a few remarks. MLAs (Member of the Legislative Assembly) will then have an opportunity to introduce their constituents.

Hon. Mr. Romanow: — Thank you very much, Mr. Speaker. It is indeed my pleasure, on behalf of the government side, to pay tribute to those distinguished guests whom you've identified in your gallery.

This morning, Mr. Speaker, the Deputy Premier made some presentations on behalf of myself — unfortunately I had to be in Saskatoon — and hosted a luncheon at Government House for the 16 people that we are honouring today. Present was the Lieutenant Governor and Mrs. Wiebe, yourself, Mr. Speaker, the member from Moosomin, representing the Leader of the Opposition, the Leader of the Third Party, and other members of the Assembly.

Mr. Speaker, we are honouring in a very small way but I believe in a very meaningful way, some truly remarkable people — individuals who have given generously of themselves to their country, their province, and their fellow citizens.

There are the members of the Order of Canada who have made their mark nationally; members of the Saskatchewan Order of

Merit who have been honoured by our very own province; members of the Order of Military Merit who have devoted their careers to the cause of peace; and recipients of bravery decorations who have placed their lives on the line for their fellow human beings.

Mr. Speaker, it is humbling for all of us to be in the presence of such dedicated, selfless people. But it also makes us proud to realize that there are so many exemplary citizens in this province whose business we conduct in this Assembly.

Mr. Speaker, members may recall the words of the new Governor General at his installation recently in Ottawa when he said to the media: let's give good news a chance.

Let's give good news a chance. Mr. Speaker, that's what we have right here today: good news; something to be grateful for this Easter season; people of goodwill, of virtue, and of courage; people we admire and we look up to.

Mr. Speaker, two weeks ago we honoured Saskatchewan peacekeepers. We are soon to recognize our volunteers through the Saskatchewan Volunteer Medal. In these small but heartfelt ways we are able to draw public attention to the positive in our society and to thank those individuals who make it all happen.

Mr. Speaker, I ask all members to join me in warmly congratulating our honours recipients this afternoon.

Hon. Members: Hear, hear!

Mr. Boyd: — Mr. Speaker, I'd like to join with the Premier and government members and all members of the Assembly to welcome these distinguished guests to the Assembly this afternoon. Their tremendous contribution to our province and to our country is indeed a tremendous accomplishment, and we certainly are appreciative of the opportunity to welcome them here to the Assembly.

At a time in society when people all across Canada are looking for heroes, I think it is to be said that these indeed are the true heroes all across Canada. And we certainly look up to the people in the Assembly today and welcome them here: six recipients of the Order of Canada, three recipients of the Saskatchewan Order of Merit, three recipients of the Order of Military Merit, and three recipients of bravery decorations.

Certainly, Mr. Speaker, we would join, as I said, with the Premier in welcoming them here this afternoon, and on their accomplishments and goodwill. Thank you very much.

Hon. Members: Hear, hear!

Ms. Haverstock: — Thank you very much, Mr. Speaker. I join with the Premier, the government members, and the opposition, in welcoming to the legislature these exceptional citizens of our province. What is striking about these 16 men and women is that, while their individual achievements are markedly different, their characteristics as a group are readily identified.

These people share common values about the importance of

helping their fellow human beings, a common devotion to their professions, a shared loyalty to their country, their province, their communities, and their families. They are, Mr. Speaker, what we have come to know as representatives of the true Saskatchewan tradition.

It has been said that the most extraordinary thing about extraordinary people is just how ordinary they are. I believe that the achievements and aspirations, the hopes and dreams of our special guests, mirror us as a people and as a province, underlying not just what we have been, but more importantly, what we want to become.

To each of our guests and to your families, I extend my warmest appreciation and respect to you from the third party for your achievements made on behalf of us all. We thank you.

Hon. Members: Hear, hear!

Ms. Lorje: — Mr. Speaker, it is my pleasure to introduce to the Assembly, Dr. Louis Horlick, officer of the Order of Canada and member of the Saskatchewan Order of Merit. Accompanying Dr. Louis Horlick is his spouse and respected helpmate, Ruth. I would ask them both to stand, and I would ask members of the legislature to welcome them here today.

Hon. Members: Hear, hear!

Ms. Lorje: — Thank you again, Mr. Speaker. Once again it is my pleasure to introduce to the Assembly, Mrs. Peggy McKercher, member of the Order of Canada. Accompanying her is her spouse and law-abiding chauffeur, Bob. I would ask them both to stand to be welcomed to the Assembly.

Hon. Members: Hear, hear!

Mr. Serby: — Thank you very much, Mr. Speaker. It's my privilege to introduce to you and members of the Assembly today, seated in your gallery, Mrs. Anna Ingham, who has dedicated her life to educating children and serves as outstanding role model as an educator across Canada. Mr. Speaker, Mrs. Anna Ingham, member of the Order of Canada, accompanied today by her daughter-in-law. I'd ask them to please stand and have all members of the Assembly join me in welcoming them.

Hon. Members: Hear, hear!

Hon. Ms. Crofford: — Thank you, Mr. Speaker. It's my privilege today to introduce Mr. Robert Mossing, member of the Order of Canada. If you could stand, please, Mr. Mossing, and be recognized. There, thank you.

Hon. Members: Hear, hear!

Hon. Ms. Crofford: — Mr. Speaker, I'd like the members of the Assembly to join me in recognizing Mrs. Theresa Stevenson, member of the Order of Canada. Thank you.

Hon. Members: Hear, hear!

Hon. Mr. Pringle: — Thank you, Mr. Speaker. Mr. Speaker, it is my pleasure to introduce to the Assembly, Mr. Howard Stensrud, member of the Order of Canada, with his wife Rita, and commend Howie for his dedicated work over the years — if you'd stand, please — and ask all members to welcome them.

Hon. Members: Hear, hear!

Ms. Hamilton: — Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly, Chief Warrant Officer Gordon Cooper, member of the Order of Military Merit; accompanied by his spouse Iris who has been with him in his many travels and many years in different postings. I'd like to ask all members to join me in welcoming them here today.

Hon. Members: Hear, hear!

Mr. Hagel: — Thank you, Mr. Speaker. It is a privilege for me to introduce to members of the Assembly, Petty Officer 2nd Class Angus Skinner, member of the Order of Military Merit, who is accompanied today by his wife Carol, and that we would please to acknowledge both of them.

Hon. Members: Hear, hear!

Ms. Haverstock: — Thank you very much, Mr. Speaker. It is indeed a privilege to introduce this afternoon Chief Warrant Officer Allan Wilson, member of the Order of Military Merit, and his wife who's accompanying him today. Please join with me in welcoming them.

Hon. Members: Hear, hear!

Ms. Murray: — Thank you, Mr. Speaker. Mr. Speaker, it's my great privilege to introduce to you and through you to members of the Assembly, Dr. Robert Ferguson and his wife Norma. Dr. Ferguson is a member of the Saskatchewan Order of Merit and a member of the Order of Canada. Please join me in welcoming them here today.

Hon. Members: Hear, hear!

Mr. Hagel: — Thank you again, Mr. Speaker. It's a privilege for me to introduce to you and members of the Assembly, Mrs. Willy Hodgson and her husband Bill. Willy Hodgson is a member of the Saskatchewan Order of Merit.

Hon. Members: Hear, hear!

Hon. Ms. Crofford: — Thank you, Mr. Speaker. It's my privilege today to introduce Dr. William Riddell, member of the Saskatchewan Order of Merit, and his daughter Cathy. Welcome.

Hon. Members: Hear, hear!

Mr. Hagel: — Thank you, Mr. Speaker. It is my privilege to introduce two gentlemen who won their bravery decorations

together in exactly the same incident. I'd like members of the Assembly to extend congratulations to Mr. Norman Hales, if you'd please stand, and also to Mr. Dave Hill, both recipients of the Medal of Bravery.

Hon. Members: Hear, hear!

Hon. Mr. Pringle: — Thank you very much, Mr. Speaker. Mr. Speaker, it is my honour on behalf of the Hon. Minister of Finance to introduce Mr. Lyle Schweighardt, a recipient of the Medal of Bravery, with his wife Patti. If members would welcome them, please.

Hon. Members: Hear, hear!

Ms. Hamilton: — Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly, two people who are here to represent the spirit of Lorelle Schoenfeld. They are Ms. Mary McCarron-Egner and Mr. Cec McCarron, who are parents of the late Lorelle Schoenfeld, who was the posthumous recipient of the Medal of Bravery.

Hon. Members: Hear, hear!

Mr. Toth: — Mr. Speaker, I'd just like to take a moment on behalf of our caucus, as well, to acknowledge Mary and Cec and to recognize the diligent work that their daughter did in this Assembly, having been on the legislative review committee; let them know how much we appreciated her. And I believe we miss her as much as you do. Thank you.

Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — Thank you, Mr. Speaker. Again, Mr. Speaker, we have the privilege of having visiting the building today a group of public servants who, as members will know, visit this building and find out what we do and where we do it and how we go about our business. The guests are in your gallery, Mr. Speaker, at the west end of your gallery, and they are employees of the Department of Justice, SPMC (Saskatchewan Property Management Corporation), the Legislative Library, and the departments of Finance, Labour, and Highways.

I would like to introduce them to you, Mr. Speaker, and through you to members of the House and welcome them here today.

Hon. Members: Hear, hear!

Mr. Neudorf: — Thank you very much, Mr. Speaker. I want to introduce to you and through you to members of the Assembly, five individuals from my neck of the woods. These are volunteer workers in the communities that I just had the privilege of presenting 2,268 names in a petition to SaskTel. And I would like to introduce Frances Wagner, Ralph and Valerie Schidlowsky, Karen Lehmann, and Angele Lanavaz.

So I would ask all members please to help me introduce these individuals who are here for meetings and would certainly appreciate an impromptu meeting with the minister responsible for SaskTel. Thank you, Mr. Speaker.

Hon. Members: Hear, hear!

Ms. Bradley: — Thank you, Mr. Speaker. I'd also like to join the member of Yorkton in welcoming Mrs. Anna Ingham here today from Yorkton. Mrs. Ingham was a very close friend of mine and a mentor of mine. I had the privilege of being in a number of her workshops and her being in my classroom several times.

She taught me many valuable lessons as she's created a number of lifelong learners throughout the province; and of course one of those was that a mistake is an opportunity to learn.

I'd like all the members here to help me welcome Mrs. Ingham here today.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Flexi-Coil Expansion

Mr. Whitmore: — Thank you, Mr. Speaker. This morning I was pleased to take part in the ceremonies marking a significant plant expansion by Flexi-Coil Ltd. of Saskatoon.

This expansion will create close to 200 new jobs each year over the next two to three years. As you know, Mr. Speaker, Flexi-Coil is a good Saskatchewan . . . Saskatoon corporate citizen. It is a private company established by the Summach family in 1954 and now has 1,400 employees. This makes it western Canada's largest farm machinery manufacturer.

Flexi-Coil manufactures short-line agricultural equipment for markets in North America, Australia, Europe, and South America. We are all pleased at this announcement and I am happy that the tax relief measures announced in the budget will accelerate the growth of Flexi-Coil and other growing and innovative Saskatchewan companies. Reduction in the corporate income tax rate and the 9 per cent investment tax credit for capital purchases frees companies to invest in job-creating developments such as this.

Technology-oriented, trade-centred, fast-growing companies like Flexi-Coil are a specific focus of the *Partnership for Renewal* strategy. A key part of the partnership is the role of local authorities. So in addition, I congratulate the city of Saskatoon and the Saskatoon Regional Economic Development Authority for working with Flexi-Coil to facilitate this announcement.

Mr. Speaker, the history of Flexi-Coil is one of continual growth and expansion. I congratulate the management and the staff for its success and wish them the best in the future. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Expansion of St. Volodymyr Villa

Hon. Mr. Pringle: — Thank you very much, Mr. Speaker. Mr. Speaker, it is with great pleasure that I pay tribute today to the board and residents of St. Volodymyr Villa, a non-profit organization in Saskatoon Eastview that provides housing to seniors. They are developing the second phase of the housing that features 50 additional independent living units in a three-storey structure which seniors can obtain through life lease purchases. This option will be available for seniors who want an independent lifestyle and are more mobile, yet desire the security and sense of community.

St. Volodymyr began as a special millennium project for Ukrainian Catholics in Saskatchewan, which recognized the pioneer status of the many who came from the Ukraine who were seniors and who had housing needs. With support from the provincial government, the city of Saskatoon, and the Ukrainian community, St. Volodymyr Villa has proven to meet the goals of its founders.

While the initiative was developed by the Ukrainian people, the project is open to people of all nationalities and many others are also able to enjoy the sense of belonging that exists at the villa. I've been at St. Volodymyr on many occasions, Mr. Speaker. The atmosphere and the people are very warm and I wish them well. Thank you.

Some Hon. Members: Hear, hear!

Weyburn Red Wings win Saskatchewan Junior Hockey League Championship

Ms. Bradley: — Thank you, Mr. Speaker. Once again Weyburn is the home of hockey champions. The Weyburn Red Wings won the Saskatchewan Junior Hockey League Championship and the Hanbidge Cup, after defeating the North Battleford North Stars with a hard-fought 6-5 victory on Friday night in North Battleford.

Weyburn earned the honour by winning the best of seven series in five games — no offence to the hon. member from The Battlefords.

Weyburn is the first team since the '86-87 Humboldt Broncos to win the Hanbidge Cup in two consecutive years. Winning two years in a row demonstrates the success of the hockey program in Weyburn; and to capture the championship with a road victory says a lot about the character of this team.

Mr. Speaker, I would like to congratulate all of the players on the Weyburn Red Wings team, the coaches, and the trainers for their hard work and dedication.

I would also like to wish them the best of luck as they now move on to the Anavet Cup against the Manitoba champion. The winner will advance to the Centennial Cup national final in Ontario.

I know the Weyburn Red Wings will represent Saskatchewan well as the team gets ready for future competition. Thank you.

Some Hon. Members: Hear, hear!

National Youth Award

Hon. Mr. Wiens: — Mr. Speaker, I'm very proud today to congratulate Jason Dubois for receiving the Youth Television network's national youth award.

Jason is one of the young citizens of Rosetown that makes the Rosetown community very, very proud. Jason is a pre-administration student at the University of Regina. He is also president of the Saskatchewan chapter of SADD, Students Against Drunk Driving.

As we know, representatives from SADD were key advocates in the recent hearings of the all-party committee on safe driving. For his efforts with SADD, Jason was recently chosen as one of only 16 youth across Canada to receive this achievement award given by the YTV, the Youth Television network. More than 2,000 youth were nominated for the award, so Jason has been selected from a large and talented group, making this achievement even more notable. The award carries with it a cheque for \$3,000 which I'm sure he'll spend responsibly.

Jason and the other winners were able to attend a number of functions in Ottawa surrounding the awards ceremony. The awards ceremony took place on April 6 and was broadcast on YTV on April 8.

Mr. Speaker, I am proud of Jason's contribution. He continues in the tradition of hard work, achievement, and community building of his parents and grandparents. Jason's community is proud of the fact that he is making such a positive contribution to Saskatchewan life, and I'm delighted that his contribution is receiving national recognition. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Carlton Trail Regional Science Fair

Mr. Upshall: — Thank you, Mr. Speaker. Mr. Speaker, recently I had the pleasure of being one of 56 people to judge a group of young scientists from my riding who are proving that they have innovative ideas for the future.

Two hundred eighty-six students displaying 183 projects from 11 schools recently participated in the Carlton Trail regional science fair at Viscount School. These schools included St. Augustine in Humboldt, Bruno, Strasbourg, Wynyard, Viscount, St. Brieux, Watson, St. Louis, Raymore, Leroy, and Lake Lenore.

Mr. Speaker, there were dozens of winners, too numerous to mention in a member's statement, but I will mention a few. Carla Harris from Raymore School and Brett Suchan and Patrick Telfer from St. Augustine School were Canada-wide winners who will compete at the Canada-wide science fair at Whitehorse, Yukon at the end of May.

Top honours in the winners' showcase went to Laura Huber and Lesley Prefontaine from Bruno; Wayne Gwillim and Jennifer Maxwell from Strasbourg; and Darren Stroeder and Evan Jenkins from St. Augustine School in Humboldt.

Mr. Speaker, Mr. Peter Pavelich received the distinguished service award by the Youth Science Foundation for his work with science fairs over the past 11 years — a very deserving award.

Mr. Speaker, I would like to congratulate all of the winners, the participants, and the organizers of this science fair which has and will continue to play an important part in the education of our children. Thank you very much.

Some Hon. Members: Hear, hear!

Mr. Toth: — Mr. Speaker, with leave, to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Toth: — Mr. Speaker, I notice in the west gallery here, an individual whom the Minister of Justice admonished the other day to set his sights on the present member of Moosomin in the upcoming provincial elections. I think he's indicated that he was having some problems with this member, but he was an individual who won the NDP (New Democratic Party) nomination in the Moosomin constituency of Whitewood the other day and I'd like members to recognize a businessman from Whitewood, Mr. Glen Gatin.

Hon. Members: Hear, hear!

ORAL QUESTIONS

Gaming Expansion

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, my questions this afternoon are for the minister of Gaming, gambling. Madam Minister, a University of Winnipeg economics professor has just completed a year-long study of the human costs of expanded gambling. He estimates that VLTs (video lottery terminal) and casinos in that province cause a social cost of about \$135 million per year — \$135 million per year, Madam Minister, in a province roughly about the same size as Saskatchewan.

Madam Minister, do you believe that the social cost of the NDP gambling expansion in Saskatchewan to be similar in amount, and what studies have you done to measure that impact here in Saskatchewan?

Some Hon. Members: Hear, hear!

Hon. Ms. Crofford: — I'll thank the member for his question. Mr. Speaker, when we first embarked on dealing with some of these issues more recently, the figures that we have indicate that Saskatchewan has one of the very lowest addiction rates in Canada in the area of gaming. And one of the things that Suren also says in his report — which you neglected to mention — that if these revenues are going to be received then we must find ways to deal with the problems.

Now I think this government has been very proactive on a number of fronts in dealing with the problems. We've had a policy of control and regulation. We've had a policy of limited access to gaming. We've had a policy of redistribution of revenues. We've had a policy of treatment, prevention. And, I think, in all ways we fulfil the kinds of things that the professor is asking for.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Madam Minister, the study indicates that gambling in Manitoba results in \$60 million in lost wages and other cost to pathological gamblers. It results in \$10 million lost to the families of problem gamblers. It results in about \$46 million in lost profits to small business as a result of the diversion of consumer spending.

Madam Minister, Manitoba is a similar-size province to Saskatchewan. You have undertaken a similar gambling expansion program as they have in Manitoba as well. One would assume that the social costs should be somewhat similar to Manitoba's.

Madam Minister, why won't you commission a study to look into this matter further? Isn't it because you know the problems you are causing are every bit as serious in Manitoba and in Saskatchewan?

Some Hon. Members: Hear, hear!

Hon. Ms. Crofford: — Thank you, Mr. Speaker. I will remind the member opposite that it was a Tory government there greatly expanded the gaming and in fact has created much of the problem for the Saskatchewan hospitality industry by creating a drain across the border.

An Hon. Member: — What? No bingo for an excuse today?

Hon. Ms. Crofford: — Well we've had 15 years of the effects of expanded bingo without any responsibility for any of the impacts. But if you guys want to take responsibility for that, I won't ease you away from that necessity.

But I will have to say that, Mr. Speaker, neither alcoholism, drug addiction, nor gaming addiction, are excuses before the law for committing a crime. And although you may think that those are legitimate defences, we think there is a role for personal responsibility.

We're very concerned about the impacts. We have limited more than any other place. In fact if we were doing what Mr. Klein was doing in Alberta, we would then have other Liberal members joining the call for them to follow Saskatchewan's responsible approach to developing gaming policy.

I can only say that we're not happy that gaming has expanded to the degree it is, but in our society there a number of things that develop, and we do our best to control, regulate, and mitigate the impacts.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Madam Minister, you say you're not happy with the way gambling has expanded here in Saskatchewan. Well it's you that allowed it — you and your government that allowed the expansion of gambling here in Saskatchewan. You had a choice, Madam Minister. You chose, as a government, to allow expanded government . . . expanded gaming. Professor Suren says that it does not take into account additional costs such as additional loan defaults, bankruptcies, the cost of treating gambling addicts and their families, and the loss due to increased crime.

Madam Minister, this is another area that we're trying to get you to look into and to study. You won't even admit that there's a link between VLTs and increased crime, even though five Saskatchewan people have been charged and convicted with stealing from their churches, charities, and employers, in order to fund VLT addictions.

Madam Minister, why won't you conduct a study to show the link between VLTs and crime? Why are you so afraid of finding out the truth about these issues?

Some Hon. Members: Hear, hear!

Hon. Ms. Crofford: — Thank you, Mr. Speaker. I'm a little bit reluctant to make this next comment because the police chief in Regina has been asked not to be dragged into the debate in the House, but these are our people who are responsible for policing. They have said that they can derive no direct link between crime . . . For example, today I listened to a radio program talking about young people and car thefts. This has nothing to do with VLTs. It is a different type of social problem which — they were discussing — really led back to the strength of families and the role of families in keeping kids on the straight and narrow, so to speak.

So it might be very convenient at this point to blame all of society's ills on VLTs; the fact is many of these conditions were existent and growing much before the introduction of this program.

Some Hon. Members: Hear, hear!

Underground Storage Tanks

Mr. D'Autremont: — Thank you, Mr. Speaker. My question is to the Minister for the Environment. Mr. Minister, it seems that every time the Premier puts you in charge of something, you end up facing a multimillion dollar lawsuit.

First you broke GRIP (gross revenue insurance program) contracts and farmers are suing you; and now you've broken your commitment to the service station owners and they're considering suing you for \$200 million.

Mr. Minister, why have you failed to live up to your commitment to Saskatchewan service station owners?

Hon. Mr. Wiens: — Well I want to thank the member for his question. I want to say I think the member opposite is aware of

this because at one point, and I may read his quote later on in the House, he congratulated us for having taken the position we did in solving the mess that the previous government left, the underground storage tank issue, in, and so I want to acknowledge that support from the member opposite.

And I want also to say that I want to remind members that members of the Environmental Fairness Association participated in the review of that ill-begotten program that you started, and actually came up with a solution that was to everybody's agreement.

The issue that was unresolved was the issue of contaminated site liability. The issue of contaminated site liability goes much more broadly into the economy than the underground storage tank issue of service station owners.

It's been the subject of a national round-table review which has made recommendations about 12 principles that should be used in putting it forward. And we, last year, put out a discussion paper, which we should be receiving a report on in the next month or two, on the whole issue of a contaminated site liability. And I believe the Environmental Fairness Association is aware of that process as well.

So I can assure you, the member opposite, that this issue is proceeding as you congratulated us for wanting it to proceed only a few months ago.

Mr. D'Autremont: — Thank you, Mr. Speaker. Mr. Minister, I did indeed congratulate you on some procedures when it looked like you were going to do something. But unfortunately that hasn't come to pass and now the service station owners are suing you.

Your fuel tank regulations are going to drive hundreds of service station owners out of business. Last September your department assured the environmental fairness agency that you were working towards a solution to this problem, that you would report back to the EFA (Environmental Fairness Association) in December, and they're still waiting, Mr. Minister.

Mr. Minister, why are you dragging your feet? Why do service station owners have to threaten to sue you just to try and get a meeting?

Some Hon. Members: Hear, hear!

Hon. Mr. Wiens: — Mr. Speaker, I could assure you there is no need for any of that kind of action to get a meeting. You can check — I go to meetings daily without any of this sort of intervention.

I want to repeat to the member opposite that the issue of underground storage tanks was one that was addressed successfully, as a result of the hazardous substance regulations advisory group report and regulations which was signed onto by the Environmental Fairness Association with the proviso that that did not include any consideration of the question of contaminated site liability.

And the issue of contaminated site liability, as I just described, is not one where one rushes in and declares an answer. The issues around contaminated site liability begin with the principle that says the polluter should pay and ends with another 11 principles that describe who should be responsible in the event that it's difficult to identify the polluter.

Those discussions have been going on with business and industry and environmental groups across Saskatchewan for the last six months. The fact that no consensus has emerged on that subject is the reason why there has been no final report tabled. They are looking for a consensus on some of the tricky issues surrounding that issue, and I would appreciate your positive support for resolving those issues, that industry has.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. I guess when the minister says he isn't going to rush in, that means he is clearly not going to do anything until after an election. And, Mr. Minister, that's not good enough.

You're threatening the livelihoods of hundreds — hundreds — of small-business owners and you refuse to give them an answer because you don't want to deal with it before an election.

Mr. Minister, will you provide an answer today? You talk about the polluter pays; do you intend to pick up any part of the costs of these regulatory changes? After all, the government taxation represents almost 50 per cent of the price at the pumps. Or are you just going to run hundreds of small service stations out of business by forcing them to shoulder the entire costs?

Some Hon. Members: Hear, hear!

Hon. Mr. Wiens: — Mr. Speaker, I don't know whether the member opposite has been out on the tractor without a muffler or whether he's intentionally ignoring my answers. But may I repeat, that the collection of representatives agreed to this report several months ago and that program has been implemented, and that is the program that deals with the upgrading of storage facilities.

The issue of contaminated site liability is the question of what do you do with the spills that occur because some time in the past somebody didn't upgrade in time. And that is a very difficult question because it's like the question of: what do you do with tailings from mines, and what do you do with spills from refineries and other industries at a time before we were aware of all the concerns in this regard? That is a very broad question.

But just on the central principle about which you ask, I want to say that even the Environmental Fairness Association in respect to another issue that was raised some time ago, last summer, the EFA, he explains, agrees that if there is a problem then it should be cleaned up and the person or company which is shown to be responsible with the problem should be held liable for the clean-up costs.

So there isn't a lot of question about that first principle on the contaminated site liability question. The question is what do you do when you can't find the person or the body responsible. And that's a long discussion.

As I invited you earlier, I would hope that you would be positively involved in the discussion to bring consensus to this very difficult issue where we need to blend society's interests with the . . .

The Speaker: — Next question.

SGEU Health Benefits

Ms. Haverstock: — Thank you very much, Mr. Speaker. Over the past few weeks we've been talking about the need for government to lead by example and to set a standard. But this government has set a double standard, Mr. Speaker — a double standard for labour with the new Crown tendering policy, a double standard for political staff with raises for ministerial assistants, and a double standard for pensions with the Premier and his colleagues. The government is setting a double standard, Mr. Speaker.

And my question is to the Premier this afternoon. How do you explain, sir, the increasing number of privileges and rights to the chosen few in Saskatchewan that is creating one set of rules for one group and another set of rules for absolutely everyone else?

Hon. Mr. Tchorzewski: — Mr. Speaker, I am always pleased to respond to questions from the Leader of the Liberal Party when she talks about leadership and setting examples because she is the best example of poor leadership when it comes to special privileges, because she is the only one in this Legislative Assembly who took a 37 per cent increase in her personal pay simply because she had an increase in one member of her caucus.

Now as the member from Regina Elphinstone said here one day recently in the House, if that's how much extra money it takes to manage that member, new addition to the caucus, then I'll tell you, she'd better take a good second look at whether he should be welcome in that operation.

But, Mr. Speaker, I mean that's an example of leadership, Mr. Speaker, that this province doesn't need. This government has shown leadership and whenever there is a problem as . . . that needs to be addressed, this government has addressed it. And it will continue to address questions that like the likes of which the member from Greystone raises here today and other questions, because this government has set a good example and has provided leadership and will continue to do so in this term and the next.

Some Hon. Members: Hear, hear!

Ms. Haverstock: — Mr. Speaker, ordinary Saskatchewan people are questioning this government's choices. In spite of atrocious tax increases, less and less is being covered under the NDP wellness program — unless of course you happen to be

part of the SGEU (Saskatchewan Government Employees' Union).

The new Saskatchewan Government Employees' Union agreement signed on March 29 will offer every health care benefit under the sun to its members, Mr. Speaker, while the average people struggle to pay their own way. Effective September 30, 1996, SGEU members will have 100 per cent coverage for drugs; eye exams, glasses, contact lenses, are all part of the package. Diabetic supplies, ambulance services, private health rooms . . . hospital rooms, orthopedic shoes — and get this, Mr. Speaker — even hairpieces and massage therapy will be paid for by who? The taxpayers of Saskatchewan.

Now to the Premier: are you going to defend this excessive benefits package the same way that you defend your pension?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — Mr. Speaker, it's just quite an incorrect categorization that the member gives to the package that was settled upon. The first thing to remember is that the SGEU took no wage increase over a three-year agreement.

They took a very modest cost increase and we were very, very careful and very conservative about estimating these costs, which kept the package within very acceptable limits. There is nothing in the first year, a small amount in the second year, a small amount in the third year; but these benefits were very carefully costed and they are really a very small amount considering the increases in the cost of living, considering other factors that underlie claims for increases and improvements in the collective bargaining agreement.

So we're not the least bit ashamed of that package. That package is a very, very favourable package as far as the governments are concerned and as far as the people of Saskatchewan are concerned. We're not attacking our public servants, rolling their wages back or asking them to take big wage decreases like other Liberal governments across this country. But we're not giving an increase in wages at the same time. But we are extending some small increase in benefits and the member categorizes them quite erroneously.

Ms. Haverstock: — Thank you very much, Mr. Speaker. I find it most interesting when they talk about leadership. If they want to give people a raise, have enough guts to give them a raise, but you shouldn't use health care as a perk.

Mr. Speaker, this is a fundamental error by an out-of-touch government. And while seniors in this province struggle to afford their prescription drugs, the Premier of this province defends his gold-plated pension plan and families that I can name have actually had to go out and get extra jobs to pay for insulin. And now this government plans to spend scarce health care resources to top up union salaries that already exceed what the average person earns.

My question is: how can you justify this double standard? And, sir, you add up the amount that this could come to — in dental

benefits and every other kind of benefit that is now on the table — and it adds up to thousands, potentially thousands of dollars per person.

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — Oh, that is just wild and nonsense, Mr. Speaker. There is absolutely no factual basis for the Leader of the Third Party making a statement like that.

As I have said, the SGEU, on behalf of all of the people employed by executive government, took a zero wage increase, a zero wage increase. To some extent in the second year and to some slightly greater extent in the third year, we extended benefits to them, benefits that apply to all of the employees of executive government. The amount is not large. The amount could not amount to thousands of dollars per person as the member said. On average it will amount to only a few dollars per person.

And it's really quite astonishing that the Leader of the Third Party should attack a settlement which has . . . in effect, three years of zero — three years of zero. When was the last time that a government has gone to the bargaining table and negotiated three years of a zero per cent wage increase? Mr. Speaker, it's quite appalling.

Some Hon. Members: Hear, hear!

Deficit Reduction Surtax

Mr. Martens: — Thank you, Mr. Speaker. This week we would like to again present questions submitted to us by the people of the province. As you're aware, the Assembly was not sitting yesterday, which is our usual day for asking these questions. However we believe that the concerns expressed by the public are important for us not to skip a week.

Mr. Premier, this question comes from Ruth Davis from Tuxford: I want to know why the deficit reduction surtax of 10 per cent on Saskatchewan income tax is not being totally eliminated now that the budget has been balanced. If it is not removed, it appears that this is just another tax grab by the present government.

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, I thank you very much for that question, the hon. member and the person who wrote the hon. member.

The first order of business was to eliminate the deficit for the obvious reason, that every year's shortfall adds to the debt, the main principal, the main mortgage. We have now done that successfully, we meaning the people of the province of Saskatchewan, all of us, by I think some good goals and some good planning and some good luck and a lot of hard work and sacrifice by the people of Saskatchewan.

But unfortunately that's only part of the problem. The other part of the problem is that we are still facing I think probably one of the largest, if not the largest, per capita debts of any province in

Canada. And that debt generates, roughly speaking, an interest rate charge yearly on our taxes of \$850 million, which money goes to New York, to Hong Kong, to Zürich, to London, to Paris, to Toronto, to Montreal. And if we're lucky enough to have Saskatchewan savings bonds, thank goodness some of it stays at home. So what we have to do now is make sure that the debt is tackled.

Now what we've done as a reward to the people of Saskatchewan for their sacrifice is reduced the deficit surcharge effective July 1, 150 per taxpayer, 300 per two-income tax-paying family. And it will be applied toward the next task which is long-term debt reduction which, as you know, we anticipate will be reduced by 1.2 billion by the end of March 31, 1999. I think it's responsible planning.

Some Hon. Members: Hear, hear!

Biodiversity Program

Mr. Neudorf: — Thank you very much, Mr. Speaker. I also have a question for the Premier. And I'm glad to see that we were able to flush him out relatively easy today and that he will have the courage to answer this question as well.

This question, Mr. Speaker, comes from Peter Jonker from Saskatoon: Mr. Premier, I want to know why your government chooses to pay only lip service to the need to set aside large areas of Saskatchewan wilderness from human development. We were committed to setting aside 12 per cent by 2000 A.D. To date we have set aside less than 3 per cent. Your record in this area is a joke, an insult to our natural heritage, and those who wish to protect it.

Mr. Premier, would you please respond to Peter Jonker?

Hon. Mr. Wiens: — Mr. Speaker, thank you very much for that question to the member opposite. The fact is that Saskatchewan has launched in the last few years an ambitious program of setting a process in place to identify areas in order to preserve biodiversity in Saskatchewan, consistent with the national biodiversity program.

And I want to say to the member opposite, who is having trouble listening at the moment that the — who is trying to introduce other issues into this debate; that he doesn't want to hear the answer that he knows is going to be coming — that what has been identified as space that is set aside in Saskatchewan, there are 3.4 million acres from the wildlife habitat protection legislation that are not recognized in the numbers that Mr. Jonker has there.

And I want to say to Mr. Jonker that we are strong believers and advocates in establishing the necessary protection for biodiversity in Saskatchewan. Yes, it is a major challenge. Saskatchewan, as I said in speeches before, with 50 million cultivated acres in the southern half of the province, is one of the most altered ecosystems anywhere. That's our history.

Now we have to set in place a path to achieve protection of the areas where the . . . so the biodiversity of . . . that makes up the

basis for life is protected. I'm telling you and Mr. Jonker that that process is in place. And I invite him to call me or sit down and meet with me and we'll discuss the full story in what Saskatchewan is doing in this regard, not the least of which is our new forest Act.

Some Hon. Members: Hear, hear!

GRIP Changes

Mr. Swenson: — Thank you, Mr. Speaker. My question today comes from Elizabeth Neustaeter of Swift Current, and she says: Mr. Premier, I want to know how come you are so concerned about the CN (Canadian National) strike and the Crow demise when you changed GRIP so that almost nobody would qualify for a pay-out. Why always blame the federal government for everything? What are you doing?

Hon. Mr. Romanow: — Mr. Speaker, the aspects pertaining to the GRIP funds, I think, have been explained to this House many, many times before, and so I will not take the time of the member or the House to further elaborate on the defences and explanations made by my colleague, the Minister of Agriculture.

What we have here however is not a question of blame; what we have here is a very radical, major change in the Crow rate plan. And while I know the member from Morse will say . . . from Thunder Creek will say that it's not his question, it's the questioner's question, it was he himself as a member of this House who voted in favour of a motion that his party introduced — I think the word used was — condemning the change in the Crow rate.

Because there's no doubt about it, this is a massive change. It involves delivery points. It's going to have a big impact on trading patterns, trucking costs, and matters of this nature, as is of course the strike.

And I think it was this member as well who stood up and urged us day after day to take strong action in telling the Liberal government to do something about the strike and the Crow rate.

So we're, as the lawyers say, we are at consensus *ad idem*. We have a meeting of minds on this. And this is not a matter of beating up on the federal government. That's not my objective. My objective is to work with them, to work fairly with them, to speak up for Saskatchewan first and foremost. And it was in the interest of Saskatchewan to speak up on the issue of the Crow, as we continue to do so and as we will do so from time to time when disputes like the strike enter.

Some Hon. Members: Hear, hear!

INTRODUCTION OF BILLS

Bill No. 58 — An Act to amend The Income Tax Act

Hon. Mr. Shillington: — Thank you. Mr. Speaker, I move first reading of a Bill to amend The Income Tax Act.

Motion agreed to and the Bill ordered to be read a second time

at the next sitting.

ORDERS OF THE DAY

MOTIONS FOR RETURNS (Not Debatable)

Hon. Mr. Lingenfelter: — Mr. Speaker, as it would relate to item no. 1, I would move that the motion be converted to motion for return (debatable).

The Speaker: — Item no. 1, motion for return (debate).

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 24 — An Act to amend The Saskatchewan Housing Corporation Act

Hon. Ms. Carson: — Thank you, Mr. Speaker. Mr. Speaker, at the end of my remarks I will be moving second reading of The Saskatchewan Housing Corporation Amendment Act.

Mr. Speaker, when the Saskatchewan Housing Corporation was established by The Saskatchewan Housing Corporation Act of 1973, the role of the corporation was to provide affordable and adequate housing to persons of low income. The role of the corporation has expanded considerably since 1993 and The Saskatchewan Housing Corporation Amendment Act, 1995 primarily enlarges the objectives and powers of the corporation to ensure the objectives and powers are consistent with past and present operating practices and broad enough not to constrict future housing activities.

Mr. Speaker, the expanded powers will enable the corporation to participate in a federal housing agency program which will reduce the interest paid by the province on existing loans for its non-profit housing portfolio and potentially reduce the interest paid on existing loans for other housing portfolios.

(1430)

Other amendments are of an administration or a housekeeping nature and include: updating the nature . . . the name of the federal housing agency from Central Mortgage and Housing Corporation to Canada Mortgage and Housing Corporation; deleting the definition of general manager and changing the title of the chief executive officer of the corporation from general manager to president; deleting reference in the Act to employees and staff of the corporation as all employees were enrolled in the public services on July 1, 1993; and reducing the size of the corporation's board of directors to one person and consequential amendments as a result of the reduction.

It will also delete references to obsolete housing programs. It will reword the section pertaining to the incorporation of public housing authorities to clarify the powers invested in the housing authorities and their accountability to the corporation, and to include provisions for the naming of a housing authority on incorporation.

It will clarify what loans administered by the corporation are

subject to the existing exemption from The Limitation of Civil Rights Act and The Land Contract (Actions) Act. It will correct the omissions of the Act from consequential amendments to The Tabling of Documents Act, 1991 by amending the annual report section of the Act to comply with the reporting requirements of The Tabling of Documents Act, 1991.

Mr. Speaker, I move second reading of this Bill.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, certainly we'd like to take some time to review this piece of legislation before we would allow the debate to proceed beyond second reading and into Committee of the Whole.

In listening to some of the remarks the minister has made and the fact of tying in with federal funding, I would think that any time you have an opportunity to tie into a federal program is certainly something that is commendable. And of course when we look at housing across this province and the number of individuals who through the years have been assisted through the Sask Housing program, it certainly has been a program that has helped people establish themselves and get started and aided in a number of ways. And we certainly don't want to take away from the program.

However, it would be appropriate for us to, before we just proceed and allow this Bill to move right through the Assembly, it would be appropriate to take the time to really review it, and review it in depth so that any questions that may be there, any concerns that the public may have, would be addressed so that at the end of the day, we would feel, and the government could feel, quite confident that this is a piece of legislation that will continue to meet the needs of Saskatchewan residents.

And therefore at this time I would move to adjourn debate.

Debate adjourned.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 54

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Shillington that **Bill No. 54 — An Act to establish an Aboriginal Courtworkers Commission** be now read a second time.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I'd like to make a few comments regarding Bill No. 54, An Act to establish an Aboriginal Courtworkers Commission.

As I understand it, I believe what the Bill does, Mr. Speaker, is it establishes an independent commission to provide courtworker services to native alleged offenders and alleged young offenders. And it's something I believe our aboriginal community has certainly been seeking and looking forward to receiving . . . or looking forward to having a part in the court process in dealing with offenders from their background.

And I also understand the Bill gives these courtworkers, or we understand these courtworkers will have, a broad mandate to help aboriginal people deal with the court system and obtain legal counsel to reduce cultural and linguistic barriers and to provide liaison services to the community. And certainly it would seem that this is a worthwhile goal to be pushing for.

I also understand the commission also has the ability to make grants to individuals or groups presumably to pay for court costs. And this is something that we will have to raise with the minister when we get into the debate in the committee as to the reasoning for these grants to individuals or groups to ensure that the money will be indeed used wisely, or indeed to see whether or not this is money that will be well spent or needs to be spent at all. And there's some questions that will arise from that area of the Bill.

Some of the concerns we have with the Bill, Mr. Speaker, as we have seen with sentencing circles, we are concerned this may create a two-tiered legal system. And that's something that we need to take a careful look at and certainly address and make sure that our system continues to treat people in this province fairly, regardless of race or religion or nationality or creed.

Although we recognize and sympathize with legal problems often faced by natives, we are not convinced that it is good public policy to set one group aside for special treatment. It would seem, Mr. Speaker, that there are good arguments for the special treatment and that these arguments are compelling in the case of natives. It sets a dangerous precedent however for special services and special help to other groups.

At some point I guess, Mr. Speaker, we must wonder if it is appropriate for the government to become involved in the legal system in this way. The Bill in many ways seems hastily put together and ill-defined with many important areas left to regulations.

And here again, I think we need to be very careful in addressing some of these concerns and asking the minister responsible and the government what their intentions are regarding regulations. Because, Mr. Speaker, we have seen in the past that when you leave something to regulations, as far as the actual workings of a piece of legislation, the fact that regulations are never brought before this Assembly — they're passed by an order in council — the public of this province really do not have any say as to the implementation of regulations prior to their passing.

And so it would behove us to review this matter very carefully with the minister to find out what regulations will be left up to . . . or what areas will be left up to regulations to define.

It is typical for legislation of this sort to define the number of board members to sit on a commission, yet this Bill does not do that. We are concerned that the grant-giving powers of the body are virtually unlimited, and they are not defined in terms of purpose or scope. And as I indicated earlier, that's an area that we must raise and have some very legitimate questions.

I understand as well that there is no limit set on the number or types of grants it can make in a year, and one would have to

question that, whether or not there should be a limit, whether . . . how many grants may be anticipated and be handed out. How many groups would qualify for those grants? And so a number of questions arise from that section of the Bill.

It also limits . . . there's a limit on size of single grants before they are referred to the Lieutenant Governor . . . or before they are referred to the Lieutenant Governor and is, I understand, is set at a generous amount of \$10,000.

Further this limit is only on a single grant. There is no stipulation that the agency cannot make a series of grants to one individual or group that greatly exceeds this amount, and that's certainly of a major concern to us and an area that must be and will be reviewed as we discuss this in Committee of the Whole at a later date.

Once again, the issue of unequal treatment under the law arises. Here one group is provided by this funding unlimited access to legal counsel that is not allowed to ordinary citizens. This is not fair. Again while we are generally supportive of the principle of seeing aboriginal citizens receiving fairer treatment in the courts, we have some uneasiness that this Bill may well create unfairness for the other citizens of the province, as well as setting a precedent for special legal treatment of interest groups.

But particular we feel that this Act may give the new commission a blank cheque to spend money and resources on this objective. This, Mr. Speaker, I believe is unfair, both to taxpayers and to other users of the court system who do not have access to these resources.

Mr. Speaker, as well we would want to have a number of detailed questions answered regarding the funding, the fiscal reporting, and the general operations of the commission. We will also want to be given a sense of how the regulations will restrict who qualifies for the service and how grants will be given out.

Mr. Speaker, these are just a few of the areas that we would like to explore. We are continuing to consult with affected groups. And therefore at this time to allow that process to continue and to make sure we've addressed all the concerns, I would move that we adjourn debate.

Debate adjourned.

Bill No. 49

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Shillington that **Bill No. 49 — An Act respecting Interior Designers** be now read a second time.

Mr. Goohsen: — Well it looks like it's my turn, so I guess we'll try to make some sense out of this Bill, Mr. Speaker, for the folks that are interested.

We had taken a look at this Bill some time back, of course, and have had little time to look it over. It's, I guess, the democratic process that we take a little bit of time when we bring in new Bills that, of course, are new laws that are going to change the

way that people live and the way that they have to respond in our society.

Now generally speaking, we in the official opposition have not opposed this piece of legislation which essentially establishes professional standards for individuals practising the profession of interior design. Now I have myself spoken to Ronald Christie, the president of the Interior Designers of Saskatchewan; IDS is the short-form, and I'll be using that as I go through the rest of my comments, Mr. Speaker.

Now about this Bill . . . We talked to him, and he was kind enough to provide us with some background information on the matter which was very good of him to do because, to be quite honest, I don't know a whole lot about the interior designer's profession, let alone how they are affected by provincial legislation or federal legislation or anybody's legislation for that matter.

Now his association, he tells us, has been the driving force behind this Bill. I guess because it affects them more than anyone else, they are naturally the ones that would be trying to get legislation that would do something for their industry.

The IDS believes that the professionals with appropriate levels of experience in the field must be clearly identified. Now apparently that seems to be the whole gist of the legislation, in his view, is to see to it that people who are in this profession are clearly identified as being the people that are doing this particular kind of work or should be doing that kind of work as per their credentials. And we'll go into a little more detail of what we understand their credentials to be as we go along.

But by protecting the title of interior designer, the IDS feels that the public will know that when they hire an interior designer, they are engaging the services of an individual who has met and maintained competency standards established by the IDS. And these standards apparently are things that you take like any other profession where you have exams and you study and you upgrade yourself and you make yourself a professional at this profession. And of course once you've established that, then you need to have a name that clearly identifies you as a person who has taken certain kinds of courses.

I suppose it would be just like saying a school teacher has to have certain credentials before they can get their Bachelor of Education. And of course everybody knows when you're called a school teacher, with a Bachelor of Education behind your name, that you are a professional who has studied certain courses and have acquired certain grades in those courses. And you are therefore qualified to have that name behind your name, or those letters behind your name and go by that profession.

Now the public will also know that the interior designers they have hired are covered by professional liability insurance. And this, in our day and age, is quite important, Mr. Speaker, because if people are covered by liability insurance, then obviously somebody is saying that they are competent professionals who should be able to do a certain standard of work. Otherwise they wouldn't be able to qualify to get insured. No insurance company would cover you for your job and the

standard of a certain level of proficiency in that job.

Now currently anyone can take on the title of interior designer. And I have to admit that I was a little bit surprised that you could do that, and didn't really understand what all of the implications were. But as we got into it, I now realize that in fact anybody can take this title now, and probably there's a need to have a differentiation there.

And clearly that's what the government is intending on doing with this piece of legislation as we are working our way through it. The IDS has been around since 1967 and has been incorporated as a non-profit corporation since 1990. It is a self-regulated body with its own regulatory committees established to deal with complaints brought against its members, which of course is a good thing because if you have a body of your peers that folks can go to to complain if something hasn't gone right, then you're more apt to get a personal kind of reception to your complaints because they understand that profession.

(1445)

Those peers will know what should've been expected to have been accomplished on a certain job. And I guess it is sort of like the law society polices its lawyers and the doctors have an organization of doctors that police their group. Now this group of course has also got a group of peers among themselves where folks can go to discuss their displeasures with any particular individuals who happened to do some work that isn't perhaps thought to be up to total standards.

So that, I guess, is probably a good idea in our society. It seems to be an accepted approach to solving problems. And whether it's the best or not, I guess it is an accepted approach and one that I guess we might just as well try to promote a little more and try to get to work for the best interests of society in general.

The IDS currently has 30 registered members, 23 associate members, and 5 out-of-province members — not a really big, significantly large group in our province, but nevertheless they do some very important work.

Mr. Speaker, the IDS has been working towards this legislation since 1976 and has been actively working with the Provincial Secretary to this end since 1987, according to the president. In fact it was the Provincial Secretary's suggestion that IDS be incorporated as a non-profit corporation in 1990. And of course that's I guess what they then did, was follow that advice and get themselves set up in this professional legal entity.

Now I think it's important for the members to note that the IDS is a member of the Design Council of Saskatchewan, also a non-profit corporation interested in the physical and visual quality of our environment. And of course we heard today an awful lot of questions about our environment and discussion on how we should approach the issues in our environment on all fronts. I think that that is an important issue in today's society. It goes not only in Saskatchewan from fuel tanks, it goes all the way to our fish in the oceans and all kinds of concerns about pollutants and things like that in our environment.

So I think that it's a very good idea that we take an interest in this area, through this piece of legislation and the people that it will affect as well.

Now the council is comprised of members including, as I have been told, the Saskatchewan Association of Architects, the Association of Professional Community Planners of Saskatchewan, the Association of Consulting Engineers of Saskatchewan, the Interior Designers of Saskatchewan, the Saskatchewan Graphic Arts Industries Association, the Saskatchewan society of illustrators and designers, and the Saskatchewan Property Management Corporation, itself a branch of government, Mr. Speaker.

The legislation before us will ensure that any individual representing himself or herself as an interior designer will perform to a level of proficiency and ethical conduct consistent with the standards set out by this Bill and the IDS. This seems to be a rather simplistic way of saying that people want to be accountable for the work that they do.

And I understand that the IDS is concerned about establishing professional standards. And I think that's really what this is mostly about, is the establishment of those standards so that people can be assured that they will get a certain level of quality when they hire someone to do this kind of work.

Now, however, we have also received now some calls from people who are practising interior design who are not members of the IDS. And I guess here, as I commented when I started my remarks here this afternoon, Mr. Speaker, we found that this is a real example of how the democratic process does work and should work — not to go too fast, to allow people time to think over what's going on.

Everything that we've talked about, everything that we've heard, all of the points that were made to us about this Bill, were very positive in the first few weeks as we studied this legislation and more or less thought, well it's just a natural thing to do; everybody in the world must be pleased with it.

But all of a sudden we find that because we've taken a little time with this, allowed the public some opportunities to study on it and think about it and even hear about it, now we are finding there are people in our province who are concerned about this Bill and who aren't exactly convinced that it's the best thing to do the way we're doing it, that we may have to suggest some amendments or some other considerations.

So I guess that's proof right there that our system is a good system, that it actually can and does work for the betterment of society by giving people an opportunity to work on the theory of equal opposing forces, where we have an opportunity to let folks know what's going on so that they can present their side of the story. And then in the processes of debate in our democratic forum, we can bring out all of the points so that the government can make the best possible decision to have a fair and balanced legislation when the day is done.

And I think that's important, Mr. Speaker. As I've said, we see

more pros than cons in this piece of legislation, but we are starting just now to hear some of the negative side of it. Having heard that there is a negative side now, we had earlier thought that we would go on with this piece of legislation as quickly as possible and get it into committee and ask some questions and that sort of thing as the process goes. But now having found out that there is a negative side, I think it's incumbent upon us to take a turn-about here and stop a little bit and take another look.

I think perhaps it would be in the best interests of society to allow a few more days to go by so that this negative position can be further expounded and further explored so that we can study it and bring forward an argument to the government to perhaps make this legislation even better than it appeared to be at the start.

And because we want to do this right, as we all, I think, genuinely want to do the best job we can as elected representatives, we're going to suggest to the government that we take yet a couple more days before we rush this one into Committee of the Whole and discuss it in detail there. And with that view, I'm going to move that we adjourn this Bill.

Debate adjourned.

Bill No. 56

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Tchorzewski that **Bill No. 56 — An Act to amend The Provincial Emblems and Honours Act** be now read a second time.

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, it's a pleasure for me to rise today and respond to Bill 56, An Act to amend The Provincial Emblems and Honours Act.

Saskatchewan is blessed in many ways, and one of the most significant is the many thousands of volunteers across this province. There are 6,000 registered charities in this province, most of them served by volunteers in one capacity or another.

Any charity would tell you that it is impossible to function without the goodwill of volunteers who organize fund-raisers, canvass neighbourhoods for funds, volunteer their time and expertise in many different charity functions. There are hundreds of volunteers who give their time to coach baseball or hockey or football, soccer, ringette, curling, dancing, or many other sporting activities for Saskatchewan children.

This is especially true in rural Saskatchewan where, without the help of volunteers, there would be no local skating rink. There'd be no community hall or fowl supper. There would be very little support for senior citizens. There are volunteers who deliver Meals on Wheels to seniors, who clean walks in winter, cut grass in the summer. There are hundreds of volunteers who, each year, comb our highways, parks, and roadways, picking up garbage and cleaning up.

Mr. Speaker, there are many individuals who volunteered their time and talents to help establish the MacKenzie Art Gallery and other such important facilities — those who take time out

of their busy schedules to teach school children about art, culture, and many other topics.

Mr. Speaker, there are those who devote their time to helping feed the hungry and build homes for families who cannot afford a home of their own. Everywhere we look at, there are communities and volunteers helping their neighbours and their communities. As well, there are thousands of companies and corporations who greatly support Saskatchewan charities and organizations within this province.

All of these volunteers deserve recognition, Mr. Speaker. But that's not why they give of themselves. People don't volunteer so that they can be recognized as a good person in their community. They give because of the goodness in their hearts, because of their unselfishness. The faces of excited children, the thanks from elderly, the finding of a cure for diseases — any one of these are all a person needs to experience to be motivated even further. Volunteers give to make life better for everyone, and indeed to touch each and every one of us.

It's very true, Mr. Speaker, that the impersonal hand of government can never replace the helping hand of a neighbour. We are witnessing that at this very moment in Oklahoma City where a bomb exploded early this morning, destroying a downtown federal building. Six children have been killed because an explosion destroyed their day care. Details of others dead and wounded are sketchy. Yet, Mr. Speaker, already the Red Cross is having to turn away — having to turn away — volunteers because so many individuals have come forward to give blood and offer their services to those in need.

Throughout this senseless act of violence there is, at the same time, restoration in the spirit of mankind that although there are individuals who aim to destroy or hurt others, there are also many others willing to give their time, their money, anything to help their fellow man.

It is especially encouraging, Mr. Speaker, to see so many individuals doing volunteer work at a time when life has become more demanding, more complicated. This is why I believe a Saskatchewan Volunteer Medal is a nice way to thank all of those unsung heroes for their generosity. They're a great role model for the children, and an inspiration to us all.

Mr. Speaker, it is at this time that I would move that we would adjourn debate on this piece of legislation.

Debate adjourned.

COMMITTEE OF THE WHOLE

Bill No. 53 — An Act respecting Agricultural Operations

The Chair: — Before we proceed to clause 1, I would ask the Minister of Agriculture to please introduce the officials who have joined us here this afternoon.

Hon. Mr. Cunningham: — Thank you, Mr. Chair. I have Dale Sigurdson, the assistant deputy minister; Peter Remple; and Al Sylhonyk here today.

Clause 1

Mr. Swenson: — Thank you, Mr. Chairman. Thank you, Mr. Minister, for those introductions and welcome to your officials today to consideration of Bill 53. I wonder, Mr. Minister, if you could tell us currently how many situations are currently under discussion by your department, so we have an indication of what the initial duties of the new board and the provisions of the Act will resolve.

Hon. Mr. Cunningham: — As an example, I think last year we issued 58 permits so that gives you some idea on lease and intensive livestock operation of . . . the number of new operations that go up.

(1500)

Mr. Swenson: — Okay, that's the number of permits. What, in your experience, have been the number that will be applicable to this Act? You must have some idea of past history, how many complaints are registered, and how many times you're going to have to implement the provisions of the Act.

Hon. Mr. Cunningham: — Under this Act, everybody — all 58 of those permits — would have to be issued by the department, and that issuing the permits falls under this Act.

Mr. Swenson: — No, no, I understand that, Minister. What I'm asking is . . . there's no point in putting another piece of legislation on the books of Saskatchewan if you don't have a problem to solve. You've obviously gone to a great deal of difficulty to put together an Act to solve a problem.

And other than the one with Jack Messer last year, you must have more than simply an Act just to address Jack Messer's problems with flies. So could you please tell us why we're instituting a new statute on the books of Saskatchewan?

Hon. Mr. Cunningham: — We don't have an exact count of complaints that come into the office. Certainly, probably between 100 and 200 complaints a year on complaints over nuisance with regard to livestock, but complaints that come in on burning stubble and other things would not necessarily come into the same avenue in the department, so we don't have a record of the number of complaints coming in.

But there certainly are complaints that come in. There are pretty hot issues that occur around some of the permits that we issue where there are public meetings and public protest and letters that we get, as well as complaints to the department.

So while there's not a huge problem in the province, there is in our view a need for this type of legislation and we think there will be a growing problem as there are in other provinces. Almost every other province in the country has similar sorts of legislation because as agriculture grows and becomes more intense and as our cities and towns sprawl out into rural areas, agriculture comes more in contact with people and people are more worried about the environment and their health and lifestyles and so on; so we certainly see a need for action. It's

not response to a huge problem; it's us preparing for the future that we think is coming and we want to help agriculture to continue to develop in this province and we think this is one of the tools that will help to do it.

Mr. Swenson: — Well, Minister, we don't take issue with the fact that the legislation is probably a good idea. I think everyone in the House that's spoken on the matter has confirmed that it's a concern to rural people particularly. But I also see this piece of legislation as potentially being very expensive — and I look through the sections of the Bill — I mean it establishes the power to hire lawyers, consultants, technical advisers; the board's allowed to utilize supplies and services of any departmental employee; board may pay for services of mediation officers; then there's all of the fees that the board can set to handle these things.

I mean the taxpayer also has a stake in this and that's why I asked you about some of the . . . perhaps what I should do then, is give me some of the more contentious circumstances that have arisen in the last few years and perhaps then we can, as people who set budgets in here, we can determine sort of what the cost mechanism would be with a particular action.

You must have a list of two or three that have been very problematic for your department over the last number of years, and if so, they will have some idea of what the costs were to solve those problems. And you then can point out to the legislature that this mechanism will be more cost-effective or more expensive to handle the situations. That's what we do in committee here, is determine what the actual implementation costs are going to be.

So you would know what those two or three would be and your officials will know how much it costs to resolve them. Can you inform the Assembly of how this legislation will better that process?

Hon. Mr. Cunningham: — We think there will be some incremental costs to this Act. Obviously there is some cost now. The department is dealing with complaints and trying to mediate, and we have costs. We think probably the total cost of administering this will be around \$200,000. About 100,000 of that would be incremental because we're already spending about 100,000.

This we think is a small cost compared to the cost of having agriculture in this province held up . . . of issues — hog barns or feedlots not being built, or delayed for years while the process winds its way through court; agricultural operators without the confidence to build and expand their operations because they're uncertain as to whether or not they will have protection to operate if they operate in an acceptable fashion.

The other part of the cost that we don't measure is the cost in courts because that is where some of these complaints end up. And one of the examples you're talking about was a feedlot at Swift Current which ended up being settled in court and ruled on by a court. And that's obviously a very expensive process as well, and I wouldn't have any real idea of what that costs. But there will be some costs obviously to having a board

functioning and to hearing these cases, but we think it'll be, relative to the return, not that great. And I think there will be savings as well on the court side because there will be fewer complaints ending up in court.

Mr. Swenson: — Well those are ballpark numbers, Minister. Perhaps tell us what did it cost the province of Saskatchewan to settle the Jack Messer issue at Tisdale with the issue of flies bothering him from his neighbour. What were the actual costs that you have tallied up for settling that particular issue?

Hon. Mr. Cunningham: — The cost of that was a \$20,000 settlement that went to the Dierkers from the government. We had some legal costs of which . . . because we were in court a number of times with the Department of Justice, there was probably some ongoing costs to the department. In fact the member opposite may have a better idea than that because I think that situation was with the Department of Agriculture for 10 or 12 years.

We don't have a tally of what it costs for an ag rep or somebody to make visits to the farm and try to mediate problems. But there are obviously some ongoing costs with that.

But the settlement that the . . . the out-of-court settlement saw the Department of Agriculture pay the Dierkers \$20,000.

Mr. Swenson: — So I gather from that, you know of \$20,000, and there obviously were more costs involved. You told the committee a few minutes ago that your average yearly expenditures were around \$100,000. Are we to assume then that this particular case probably was a third to a half of the budget in one particular year to settle? Would that be a normal circumstance?

Hon. Mr. Cunningham: — Well the \$20,000 — and I don't remember what year it was paid out — would have been an expensive . . . an unusual expense of a given year. As I said, that case, the ongoing costs of mediating and handling this dispute, was something that happened over a long period of time and a large number of years. So there would have been a portion of our costs during those years that would have gone to that case.

But again we don't have a breakdown as to how much time a particular ag rep spent at each individual farm, but certainly it wouldn't have been a very large portion of the budget over that period of years. It would have been just one more case that the department was dealing with.

Mr. Swenson: — I find your answer, Minister, a little bit patronizing. I mean this Bill is fairly thick. It has a lot of components in it which you're trying to cover off all possibilities. And yet you seem very reluctant to come to the House and talk about why this was necessary.

Obviously you've been incurring a lot of costs. And yet you're very vague about what those costs were to bring a new piece of legislation to the Assembly and say the taxpayers should be prepared to buy into this whole thing, when I gave you a specific case that obviously must have had some drive within

the bureaucracy to come up with an alternative. Because I think what you would like us to believe is that if this legislation had been in place, then the Government of Saskatchewan would not have been paying Mr. Messer all of that money.

And you can answer that for me — if you think that this legislation would have negated that 20,000-plus pay-out to Mr. Messer. But you seem very reluctant to give us numbers and circumstance around situations which forced you to instruct your officials to come up with a piece of legislation to solve problems. And I would have thought that you would have had that very well documented, so you could prove to the taxpayers of this province that you've come up with the proper solution — not some vague, we think might work in certain circumstances . . .

So are you saying that this legislation would have prevented Mr. Messer from getting that taxpayers' money?

(1515)

Hon. Mr. Cunningham: — Obviously that's a hypothetical question. This Bill would be designed to have a board where Mr. Messer could have gone and issued his complaint, and the board then could have talked to the Dierkers who were the farmers in the situation, and hopefully have ruled whether or not Mr. Dierker was farming in an acceptable manner. And in this particular case probably would have been cheaper, I think. Any time that the situation gets to court, this sort of procedure is cheaper than going to court. Whether I can put numbers on any particular cases, what they cost and what the saving will be, we didn't bring this Bill in . . . The main goal of bringing this Bill wasn't to save costs.

In fact we think that this operation will cost incrementally more than the old method. We brought this Bill in because we think there's an impediment to the development of the agricultural industry in this province. And that that impediment is going to grow. And the true cost is not to have the livestock industry or the grain industry or some other industry progress and grow in this province. And so this is the aim of the Bill.

Certainly it's cheaper than going to court, and I think anybody will realize that if you can have a board of your peers hearing cases and making settlements, that that's cheaper than going to court in most instances. But there will be a necessity of having a board and maintaining it, and so there will be some incremental costs.

Mr. Swenson: — Now, Minister, I appreciate what you're saying to the Assembly, is that we have to dispense with these nuisance lawsuits that are brought against people in agriculture so that they can carry on with their agricultural operations.

Was, in your estimation, the lawsuit brought by Mr. Messer a nuisance lawsuit because it involved his neighbour's flies, and if so, why didn't you carry through the process and take it to court and obviously have this nuisance lawsuit thrown out? And then you wouldn't have had to make the \$20,000 payment. And would your board have forced this situation to go that far and prove that this was a nuisance lawsuit?

Hon. Mr. Cunningham: — We don't know what the outcome of the court case would have been under the existing legislation. Our advice from the Department of Justice was that it was cheaper to settle for \$20,000 out of court than it was to continue through court, even if we were to win the case.

And of course, as the member opposite knows, when you're in court there's certainly no certainty of winning the case. I myself appeared before the pretrial judge, and his opinion was that we probably wouldn't have won the case. So given those circumstances, \$20,000 was a cheaper way out of that predicament and settle the dispute, and it was the cheapest way for us to settle.

But this Bill was certainly not a result of one individual lawsuit. It's not a case of us responding to individual circumstances or individual law cases. This is a Bill that's trying to deal with the whole issue of farmers and other people coexisting, and farmers being able to carry on a farming business in an acceptable manner and with some comfort that their investment and their life's work is not going to be disrupted by some ruling by a judge which has no background in agriculture and has no . . . there's absolutely no certainty as to the outcome of the case.

This gives farmers a board of their peers, and farmers are prepared to accept the responsibility for following guidelines and farming in acceptable practices and doing things in an acceptable way to not inconvenience their neighbours. But they also want the protection that knowing that when they are farming according to practice, and they've got their permits, and they've followed the guidelines, that they are immune from being shut down by nuisance lawsuits.

Mr. Swenson: — Well I agree with you, Minister, that it is a sad day in the province of Saskatchewan when your own officials decided that rather than have a judge rule on whether somebody's flies in your yard was a nuisance lawsuit or not is . . . indeed a sad day. And I can see why you'd want to bring in legislation to protect people because they made a complaint about flies.

I've never seen a livestock operation in this province that didn't have, unfortunately, a few flies associated with it. They are drawn to the smell of ammonia which is usually a result of livestock operations.

So the question I asked you earlier is that would your board, as you have structured the Bill, have any way in your estimation granted that type of a payment to an individual who brings a nuisance lawsuit against an agricultural operator in this province?

Hon. Mr. Cunningham: — The difference between this Bill and the old system — under the old system if somebody was bothered by flies and they went to court, the court would rule simply, is there a nuisance, yes or no; if there's a nuisance, then what's the damage. That's the system.

Under this system the complainant would go to this board and the board would rule on whether or not the farmer was

following acceptable farming practices. And if so, then it takes away the complainant's right to proceed against the farmer. If the board rules that the farmer is not following acceptable farming practices, they would instruct the farmer to change their practices. If the farmer fails to change their practice and does not farm in an acceptable practice, then at some point the complainant would have the recourse to courts as it would have had in the past.

Mr. Swenson: — So, in other words, what your telling the Assembly today is that there's no way that this board would allow an out-of-court settlement of \$20,000 to take place with somebody like Mr. Messer who'd brought a nuisance lawsuit against his neighbour. Is that what you're saying?

Hon. Mr. Cunningham: — No, they would not rule that the government should pay. They might rule that Mr. Dierker was not farming an acceptable practice and order him to follow guidelines that will be laid out in the Bill. So it's difficult to predict what some future board might have ruled on some past situation, but obviously they would have ruled whether or not Mr. Dierker was farming with acceptable practices. And if he had his permits and was farming in what his peers considered to be an acceptable manner, then he would be immune from a lawsuit.

Mr. Swenson: — And if Mr. Dierker did not live up to the requirements of the Act, then the board would have the ability to recommend a fine of not more than \$50,000, or not more than \$1,000 each day during which the offence continues? Is that the way I read the Act?

Hon. Mr. Cunningham: — No. Under the fines that apply to pollution part of the Act, if there's damage to groundwater or water supply somewhere and that's being caused by unacceptable farming practices, then the board would have the power to impose fines.

In the case of a nuisance, if the farmer does not follow the directness of the board, that just puts them back in a position where they were in the beginning and would allow a complainant to go to court and seek remedy in court.

Mr. Swenson: — So what you're going to have to do is take me through the steps then here, Minister. I want to really understand the powers that this board has. This board will be an order-in-council board, as I understand it; you will recommend to cabinet who will sit on the board. And unfortunately, history over the last four years has taught us that you have not been terribly circumspect at times in appointing non-partisan people to boards and commissions. In fact your record is rather lousy.

So knowing that we face a Bill here that has OC (order in council) appointments tagged to it, that we're going to give you permission to perhaps go appoint your friends to, we want to clearly understand what the powers of the board is and what the process is, which by your own admission can be more expensive than what the previous Act was, and what or what not the board can do.

If they cannot recommend that Mr. Dierker, for instance, in the

case we've been talking about, put out fly bait or lock his animals up or haul his manure or do all sorts of things that might be applicable in order so that Mr. Messer doesn't have flies around his house, then we need to know what the board can do and what they can't do. And you need to lead us through the process that would show what, in the case that you talk about, what Mr. Dierker would've had to do to have compliance with the board that you put in place.

Hon. Mr. Cunningham: — Well I will take you through the process, remembering there are two parts to this Act, one of which is the old pollution part which hasn't changed a whole lot and which is enforced by government. So if somebody is polluting a waterway, we will have the same sort of control over him as we have now and the board wouldn't be involved in that.

What we have is the board will deal with nuisance complaints. The process would be that somebody who has a problem with flies or odour or burning stubble, or whatever the farming practice is, brings a complaint forward to the board. The board's first act would be to try to mediate this dispute, try to set up a mediation where the parties could get together and work out something.

If mediation fails, then there would be a board hearing to hear the facts. The board would then make a decision and the decision would be that they dismiss this complaint because the farmer is farming with acceptable farming practices and that's the guideline. If the farmer is doing things that normal farmers would be doing then they will dismiss the complaint against him.

If the board feels that the farmer is not accepting acceptable farming practice and is not behaving in a manner that a normal farmer would, then they will make recommendations to the farmer to change the operation. At that point the operator complies with the recommendations. If the operator does not comply with the recommendations then you're back to square one where the complainant could then proceed to court and seek a remedy there.

Mr. Swenson: — All right then, in the case of where the particular operation has some ties to the provincial government, as was with the case with Mr. Dierker I believe — he was involved with ACS (Agricultural Credit Corporation of Saskatchewan) as a tenant or as a renter or there are all sorts of applications around the province where an individual is involved with government in one way or another — does the board ruling absolve the provincial government from litigation and being ultimately responsible for a decision of the court? Does this then totally absolve the provincial government from any involvement?

Hon. Mr. Cunningham: — Not being a lawyer I'm a little hesitant to speculate on what the potential courts might rule at some point. Really I don't believe it changes our position. If ACS has a loan to a farmer and the farmer is not farming in an acceptable practice or if the farmer is . . . and it goes through the board, it doesn't comply with it and the complainant ends up taking the farmer to court, our position as lender or partner or whatever way we're involved with it, wouldn't change. So if in

the past the complainant would sue the government, they probably would still be able to sue the government in this situation.

Our hope is that very, very few of these cases will now go to court because, in the first place, the board will rule in many, many cases if the farmer is following acceptable farming practice and dismiss them, and they won't go any further. Or in the case where operators . . . where the board rules against operators, that operators will then comply with acceptable practices, and they won't end up in court.

But in the event that, at the end of the process, it's ruled by the board that the farmer is not following acceptable practices, does not comply with the recommendations that the boards makes and then therefore the complainant ends up taking the farmer to court, our position would not change in that if there was a possibility before to be named in the lawsuit, we would probably still be named now.

(1530)

Mr. Swenson: — Well I find this a little bit bizarre, Minister, because whether you like it or not, there's a lot of people look upon this case as one that is an example of the ludicrous in our province. And I mean I don't believe . . . If what you've told me is true then, I don't believe we would have solved this situation at all because Mr. Messer, as I understand it, was so determined that he bought the guy out just to get rid of him.

And if you're telling me that after we go through all of this, that we pay the board and we pay whatever consultant comes along and we pay the lawyers, and then at end of the day you've got a guy that's so determined he's going to get rid of his neighbour as Mr. Messer was that he can still take you to court and you're not absolved of anything because you were in with ACS, then we've gone through all of this. We've spent the taxpayers' money, and the guy is still going to ding the province for 20 grand-plus.

And I don't call that a great deal of protection because when you get somebody with the financial wherewithal of Mr. Messer and obvious political connections and he is determined to get rid of those flies and he's willing to buy his neighbour out to do it, then how in the world can anyone stand up to someone like that and have the taxpayer have to foot the entire bill if the board cannot say, go chase yourself; you will not, you will not, I repeat, harass your neighbour, and you will not carry forward with a lawsuit against the Government of Saskatchewan, because we've deemed that Mr. Dierker was farming properly.

I mean I find it a little bizarre that we would go to all the problems and expense of enacting a new statute and not be able to solve that problem that a lot of people simply find offensive.

Hon. Mr. Cunningham: — Well obviously the board will have the . . . would have the power to dismiss the complaint if they ruled that that particular farmer was farming in an acceptable practice. That's the whole purpose of this board, and this whole process, is that those nuisance complaints and frivolous complaints get chucked out and go nowhere and don't disrupt the agricultural industry.

On the other hand if there are legitimate complaints, farmers have said that they're prepared to take some responsibility for them, and there has to be some balance. And so if indeed somebody is spreading manure on somebody else's driveway, and that's not an acceptable practice, one would assume that the board would then say, quit doing that or we're not going to protect you anymore.

And that's essentially what this board does. It hears the complaint and says, this is frivolous, and throws it out. Or says, you know, this is serious and you'd better change what you're doing or we no longer protect you. And that's . . . I think that's a fair situation. So that I think the mediation will be even more critical because in many cases this will be settled between the parties right at the beginning.

But that's the whole purpose of this board, to be able to throw out frivolous complaints and still allow people who have a legitimate complaint a remedy through courts in due time.

Mr. Swenson: — Okay, maybe you've thought about this then. Because as I go through the discussion here, what it seems to come down to in many cases is the independent and the persuasive powers — because at the end of the day there are no legal powers — because you've told me that the individual can go ahead and sue anyway irregardless of what your board says.

You must have some idea of the type of individual you would like to sit on this three-member board, for a term of four years at your pleasure. And maybe you could give the Assembly some indication of the type of person you might wish to be on this board who could have the ability to stand up to somebody like Jack Messer — who your own cabinet members can't seem to stand up to on many occasions — who would have the power to stand up to a person like Jack Messer who has the ear of the Premier on most days.

What kind of a board and individual would you chose to have, in this situation, to take on an individual like that because he didn't like his neighbour's flies.

Hon. Mr. Cunningham: — This board will be made up of producers — at least mostly producers, and maybe one or two others on from some other area. What we would see is having people who are involved in the individual . . . the different branches of the industry involved.

Hopefully we would have a hearing where you would have . . . any given hearing you would have a board member who was from the area and who would have some understanding of the area and the conditions in the area. You would have somebody who is involved in the particular industry that's at question.

So in a situation where it's a dairy farmer, we would want some dairy farmer on that particular hearing, hearing those concerns, so that there's some expertise as to what is reasonable and acceptable to dairy farmers for example. So we think we can get reputable producers who will be fair to both farmers and to people who are bringing forth complaints.

Mr. Swenson: — Well, Minister, your legislation says not less than three. What you've just told me is that you plan on having more than three. Are you having five? Are you having seven? What is the intention of yourself and your order in council appointments to come up with regional representation and industry representation on an adequate basis to once again, I say, stand up to an individual like Jack Messer who has the ability to push and shove on any given day?

Hon. Mr. Cunningham: — Our intention on the board is to have a fairly large number on the board. We envision this board working as the Lands Appeal Board does, where you might have a chairman or a vice-chairman in on each hearing. But you would have people from that particular area or that particular industry sitting in on individual complaints.

That, I think, gives us the flexibility, without having a terribly expensive and huge board, to have competent people on individual hearings.

There are obviously huge differences between, you know, the south-west of the province and the north-west of the province in what practices are acceptable and necessary on a farm. There are differences between how hog farmers operate and dairy farmers operate.

And so if you try to have representatives from each of those geographic regions and each of those industries on one huge board, it becomes very cumbersome. So we would view this as working much like the Lands Appeal Board does where we would have three or four people on an individual hearing who would be from that region of the province and who would have some knowledge of that industry.

Mr. Swenson: — Well, Minister, you're going to have to explain this more then. What you're saying is that you'll only have a minimum number of board members but you will have then people who will be, what, seconded to the board? Or they won't be full board members, they'll be associate board members?

Maybe while you're at it you can tell us what the per diem rate will be for these individuals, or at least the per diem that you're planning to offer when you select individuals. And explain to me what the total parameters of the operation will be. How many people are we talking about here?

Hon. Mr. Cunningham: — What we're looking at is having probably 15 or 20 members on the board, somewhere in that neighbourhood. But on an individual hearing, we would call three or four people to hear that hearing. That's the way the Lands Appeal Board works, and it works quite well. That allows us to have people with competence hearing the individual cases, somebody from the area, as I said, and somebody from that part of the industry.

Per diems, we have some standards for per diems depending on how the board is ranked. This board probably falls in the category of \$110-per-day per diem.

Mr. Swenson: — I'd like you to be a little more definitive on

that, Minister. I'd hate to have you tell the Assembly it was 110 and find out a few months later that it's 155 or it's 250 or something like that. I think it's important when we go through this type of legislation that the taxpayer understand clearly what kind of cost implications are associated with the Bill and its implementation.

Hon. Mr. Cunningham: — Per diems are not set in the Bill, as they are not for other boards and we could change per diems for any boards at any time. As I say, there's a process to categorize these boards. In this one, as I said, the board members would likely fall in the category of \$110-per-day per diems. The chairman would more likely fall in the \$155-per-day per diem. That decision has not . . . process has not been gone through yet. So I'm guessing that that will be where they will fall.

And I think this is a relatively important board but it's not in the category of a SaskPower board or something of that nature.

Mr. Swenson: — Minister, would you like to give a commitment to the House that that will be the recommendation that you take to cabinet, that that per diem rate be the one that you feel is the one most responsible to the taxpayer and that you recommend that those levels be held?

Hon. Mr. Cunningham: — Yes. I will recommend that to my colleagues. I believe that's the category that this board falls in and I'm prepared to recommend to cabinet that that's what the levels be set at. Certainly they will be weighed against other boards, but I'm confident that this is the level of commitment and expertise that's commensurate with that type of salary.

Mr. Swenson: — So as I understand it then, this board will be struck, you will publicly name the individuals who will sit on it, and then you will rely upon the chairman or the vice-chairman of the board to constitute a meeting at any time there is a complaint filed with your department. And they then will select the two, three, or four people who will sit at that particular time, with expertise being the primary goal, to bring a matter to a conclusion.

Hon. Mr. Cunningham: — Yes, that's correct.

(1545)

Mr. Swenson: — You told the committee earlier that you were potentially looking at, in this province currently, about 200 complaints a year. And you were having trouble costing before, so I'm doing a little quick arithmetic here. Two hundred complaints, probably not all of them going to board level — say half of them did — we're looking at about, with no technical staff, at about \$350 per day. Because even if they only sit for an hour, the per diem rate is applicable for the entire day, as I understand it. A hundred complaints, if they were all done on an individual basis, we're looking at about \$350,000. That's far more than what you told the Assembly a short while ago as being a cost implication.

And it's one of the things I've been concerned about as I go through this Bill, because I see far more cost evolving. And if you got into a scrap with an individual like Jack Messer, who would obviously have the potential to drag this out over many

days and increase the costs of the board, then your 350,000 quickly becomes 400 or \$450,000. And that's far different than what you just told us would be the annual operating cost.

Hon. Mr. Cunningham: — What other jurisdictions have found is that while you might get out of a hundred complaints, many of them would be settled just by an explanation from the board. Many of them may be with regards to the same operation and they may be settled without any action. A great many more are settled by the mediation process. The board would recommend mediation between the two parties and it may be settled that way.

And maybe out of a hundred, only five or ten would actually get to the formal complaint hearing by the board. So if we had 100 complaints or 200 complaints, we certainly wouldn't expect to have anywhere near that number of formal hearings of the board.

Mr. Swenson: — But as I understand the process, Minister, even if there is a review of the matter, the chairman or the vice-chairman will call, and if the quorum is three they'll have to meet in order to discuss the application. If they meet, even if they only met for half an hour under the existing rates, they are eligible for a full day's per diem. And I would suspect that the idea was that instead of department people having to do this, the board would do it.

And if you had 200 complaints, it's quite logical that 50 per cent of them might end up with the board having to discuss them, okay, and you start to run into some pretty serious money. And it only takes one or two individuals like Mr. Messer, who are prepared to walk a long way down the line, okay, who aren't going to give up simply because you say, back off.

And there are people like that out there. Jack Messer isn't the only stubborn individual in this province, Mr. Minister. That you move down that line and your board is involved with that individual for a number of instances, and I keep getting 350, 350, 350. I mean this stuff starts ticking, and then you start adding in the lawyers and you add in the consultants and you go to the university and you find somebody else who obviously will get dragged into those situations — which your board has the power to hire — and all of a sudden the \$200,000 figure that you gave the Assembly starts to look a little rough.

And as I went through this Bill very carefully, I didn't see the sort of checks and balances that I maybe hoped to have seen. And that's why I asked you questions earlier about the board, for instance, having the ability to say no, you can't go to court — something that would define the process more so than what you've done here. Unfortunately, the board can be dragged infinitum through the weeds by a stubborn individual.

And usually the people that pursue these type of nuisance lawsuits are individuals that have some kind of an axe to grind or something that's been eating at them for a long time. Or, I moved into the country and I thought I was moving into peace and quiet, and here you've got some guy down the road with a bunch of flies and I don't like it, and I've just invested a whole bunch in my acreage and my house and I'm not happy and I'm

going to let you hear about it over and over and over again.

Well legitimately the board is the vehicle — and we agree with that — to try and cut this nuisance stuff out. But I don't see anywhere in here where the board can contain its costs. They don't have the power to contain, and ultimately all they can do is back out of the road and say, go to court.

And I would like you to somehow show me where this containment takes place so that we don't run up per diems and other fees infinitum.

Hon. Mr. Cunningham: — Well we do have containment built into the Act as best that we could. I mean that was the purpose of the Act — to squash the frivolous suits at the start. And the board certainly has the power to do that.

The onus is on the complainant to prove that the farmer is not following acceptable farming practices, it's not on the farmer to defend himself.

If the board rules against the complainant, they won't hear the same case over and over again. If you read 17(3) it says:

A court shall consider and shall give primary consideration to a decision of the board respecting an agricultural operation in any subsequent action in nuisance respecting that agricultural operation.

That is a very strong language and as far as, jurisdictionally and legally, we felt we could go to say that if the board tosses out a complaint that that complainant will not have any success in a court of law. So the only time that the board stands back and lets it go to court is essentially when they rule against the farmer.

And we certainly anticipate that, as far as the vast majority of farmers in this province are responsible operators, and that there will not be many cases where people are successful in their submission that the farmer's not operating with acceptable farming practices. But in those cases then it will go on to a court and the board won't be involved beyond that.

Mr. Swenson: — Is it your opinion then, Minister, that the board will be able to arrive at that opinion after one sitting in most cases?

Hon. Mr. Cunningham: — Certainly we would anticipate in a majority of the cases that a one-day hearing . . . in fact the board will hear more than one hearing if they're in the same location at the same time. Some of these may be done by conference calls.

There may be situations where the board may want to go out and have a look at the situation for themselves and that may involve a couple of days for occasional hearings but we don't anticipate long-drawn-out situations. We expect most of these to be fairly simple to deal with. Just going by the complaints that we receive we don't anticipate many that would go to a formal hearing or that would be complicated and difficult to solve.

Mr. Swenson: — Well perhaps, Minister, and it's just a suggestion, you put a compliance or a section in that allows 45 days after the referral for mediation services to step in. Does the board have the ability to recommend earlier on, that mediation be brought to the table almost immediately so that some of these matters . . . as I understand, mediation services do have some power that once they make a decision . . . because they're involved in family court situations, they're involved with Farm Land Security Board, they're involved with a number of situations which do have binding ability.

Can the board refer mediation quicker than the 45 days?

Hon. Mr. Cunningham: — What the Act says, that the mediation officer shall report back within 45 days of the time it's referred, but that's only a limitation and certainly a constraint on going any longer than that. It certainly would not indicate that it has to take 45 days. There's a 45-day waiting period. It was put in there to shorten the period as much as we thought was reasonable to put in legislation.

Mr. Swenson: — Okay, I understand the reporting process. What I specifically asked, the board can hire mediation services, either governmental or otherwise, as I understand it, private sector mediation services or government services. But can they refer the situation to mediation services almost immediately because of the power that mediation services have to bring about a conclusion?

Hon. Mr. Cunningham: — Yes, we expect that to be standard practice, if there's a complaint that comes forward that the board would give out some information on the process and maybe talk to the individual and have him talk to his neighbour. But almost immediately, or immediately mediation would be brought in.

It's important to solve these disputes before they become family feuds and the feelings rise on both sides, so we would see the board ordering immediate mediation almost . . . in very many cases.

Mr. Swenson: — If government mediation services are used, whose budget will that show up in? Will that be in yours, or will that be in the Department of Justice?

Hon. Mr. Cunningham: — That would come under the Department of Agriculture budget, if we pay for mediation services.

Mr. Swenson: — Thank you, Minister. I was told at the time that the Jack Messer affair was going on, by a professionally trained mediator, that they could've saved the government and the people of this province a lot of money if they'd been brought into the Act because there's no way that that kind of money would've ever been paid out with the kind of report that they would bring forward; that that was simply ludicrous that the government didn't go to, for instance, government mediation and say, you will decide the issue and settle it; that the out-of-court payment was simply ridiculous, given that government had other agencies available.

And I highly recommend mediation. It has proved to be, in the farming industry, one of the best things that ever happened. Lord knows, I've got so many neighbours that have had to go through the process in the last 10 years of having restructuring happen in their farming operations. And without mediation, most of them would have been broke because they would've spent all their money on lawyers and probably at the end of the day not achieved anything.

And I think most people in the banking industry and credit unions and others, understand the benefit of mediation these days, and you very seldom see anything get to the point now of having to go to court. They're all settled virtually without that process, and mediation obviously has saved the taxpayer of this province a great deal of money.

And I'm glad to see that you're going to allow this board to immediately launch that initiative so that individuals can't get carried away with types of disputes that we are talking about here today.

That's all the questions I have at the present moment, Mr. Chairman. Perhaps some other member wishes to get into the act.

(1600)

Clause 1 agreed to.

Clauses 2 to 12 inclusive agreed to.

Clause 13

Mr. McPherson: — Thank you, Mr. Chair. Mr. Minister, of course I gave a couple of proposed amendments to you two or three weeks ago and we didn't get a chance to discuss them before this date. I hope that you've raised these with your officials, and perhaps you would consider these amendments today.

In fact from clause 13 there was some consideration of what would be a reasonable amount of time before any inspection could occur, and I would like to hear your comments before I move the amendment.

Hon. Mr. Cunningham: — I'd like to thank the member opposite for the amendments that he brought forward and we discussed earlier.

On the time lines, the amendment to section 13, we feel that it may be imperative in some cases, in fact many cases, for the inspection to occur rather rapidly. If somebody is burning stubble on Sunday afternoon and it's filtering into somebody's clothesline, one-week delay in inspecting the problem could be too much. So we certainly understand the reasons for bringing it forward. But on balance we feel that the section 13 as it's written is probably a necessary part of the Act.

Mr. McPherson: — Mr. Minister, would this be a standard as far as not giving any notice, say, in the oilfield if they had to do inspections, or in other aspects of the industry where in fact

inspectors had to look at someone's operation, that they would . . . that there's no period of time given? It just seems strange to me that we couldn't look at perhaps one week. If in your example somebody has been burning stubble and in fact there's a nuisance because of it, I mean obviously you're going to be able to go there a week later and see what the problem was and still take some action on it.

I'm probably thinking more in the sense of some of these intensive livestock operations, where perhaps it would be quite a nuisance to the operator to have someone coming on site, and in fact in a very unprepared manner having to perhaps break up whatever operation they're doing for the day or, you know, perhaps some aspect of their operation, you know, get into some amount of trouble because they're not prepared to take some time off to show inspectors around or to accommodate any inspections.

Hon. Mr. Cunningham: — If we look at subsection (7), this is a situation where an application is made to the board pursuant to this section, and the board may . . . So in the initial stages, when somebody makes a complaint, there wouldn't be inspections or there wouldn't be . . . There's no authority here to do inspections. Presumably the farmer would be willing to have the mediator or somebody from the department or whoever, out to look at it. But there would not be anything in this Act that would give those powers.

This is when there's a formal application is made to the board. At that point, the board has the right to inspect the premises. And at that stage, we're likely into some fairly serious disputes, and time would be of the essence to try to get the hearing done, and the board may want to inspect.

Certainly it would be done with the cooperation of the farmer. It would be in the farmer's best interests to allow the board or somebody to view the operation as it occurs in a normal situation.

Mr. McPherson: — Mr. Minister, one of the concerns, though, may arise . . . and I think I saw it section 26, in fact, where if a person obstructs or hinders an inspector in the performance of his or her duties, he could have a penalty or a fine of up to \$50,000. And that's a first-time offence, Mr. Minister, which may also in itself be a problem having that high of an amount for a first-time offender.

But in fact then, if there isn't any notice given and inspectors are allowed to just go into someone's operation and in fact if for whatever reason . . . I can't think of any right offhand why perhaps it's not convenient to those in the operation to have that inspection occur on that given day, then they would be subjected to quite a stiff penalty.

And I just thought that perhaps you would agree that one week would be probably in order because it's not as though I don't — unless I've missed your point, Mr. Minister — there's not a lot of spot inspections anyways. This is only after an application has been made. So I mean there's really notice given already, is there not? — just through the application.

Hon. Mr. Cunningham: — Section 26 applies to part II of the Act which is the pollution part, not a nuisance complaint to the board. And the reason there is, where the public interest is at stake, if there's pollution to Regina's groundwater supply or some town's water supply, then we think it's in the public interest that this problem is dealt with quickly. And that's why the industry has told us that some of the fines that we had were not adequate to deter that sort of thing.

And I think everybody agrees, where there is a serious concern about groundwater in particular, which is the most common pollution that occurs, that there needs to be strong measures to deal with those situations, and deal with them quickly.

Mr. McPherson: — Well, Mr. Minister, I guess I sense that you're not going to agree with me that any amount of time is reasonable. I will, however, move the amendment:

That clause 13 of the printed Bill be amended by adding immediately after the words "conduct an inspection" where they occur in clause (7)(b) the words "any time after one week's notice".

I so move, Mr. Chair.

Amendment negatived.

Clause 13 agreed to.

Clauses 14 to 18 inclusive agreed to.

Clause 19

Mr. McPherson: — Thank you, Mr. Chair. Mr. Minister, this was also one of the proposed amendments that I had passed on to you two or three weeks ago. And of course I didn't receive a reply on this one either as far as what your feelings are, your department's feelings are, as far as having a time line put in there so that at least there's some limit as far as how far back we can go on operators. And I'd like to hear your comments in regards to that proposed amendment now, Mr. Minister.

(1615)

Hon. Mr. Cunningham: — Again we thank the member for the suggestions. If you look at section 31, there is the power to roll over the permits and we will roll them over. Permits will be grandfathered; they will be rolled over. They will still have to apply by the standards in the new Act.

The concern there is if you grandfather permits where there is groundwater or surface water or pollution, that that would not be in the best interests of the public. So we want to be sure that there isn't any serious pollution control and just . . .

The Act will roll these over. We won't go back and make people reapply for permits, but we will expect them to comply with the conditions of the new Act in its terms. So it shouldn't create any problem unless there are some serious groundwater or surface water pollution that's now occurring in an operation that has a permit.

Mr. McPherson: — Mr. Minister, when you talk about the permits, are you referring to whether these existing operators have to submit waste storage plans?

Hon. Mr. Cunningham: — Mr. Chairman, I missed the last question. I'm sorry.

Mr. McPherson: — Mr. Minister, all I was asking was if the existing operators then . . . when you were talking about rolling over permits, I think I heard you say, but does that mean that they'll have to submit a waste storage plan?

Hon. Mr. Cunningham: — No, if they now have a permit they won't have to provide a waste storage plan.

Clause 19 agreed to.

Clauses 20 to 32 inclusive agreed to.

The committee agreed to report the Bill.

Hon. Mr. Cunningham: — Mr. Chairman, I'd like to thank my officials for the information this afternoon and thank the opposition members for their comments and suggestions.

Mr. D'Autremont: — Thank you, Mr. Chairman. We'd also like to take the opportunity to thank the officials, and the minister for his answers today.

THIRD READINGS

Bill No. 53 — An Act respecting Agricultural Operations

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

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

COMMITTEE OF FINANCE

General Revenue Fund Environment and Resource Management Vote 26

The Chair: — I would ask the minister to introduce the officials who have joined us here this afternoon.

Hon. Mr. Wiens: — Thank you, Mr. Chairman. I would like to introduce the associate deputy minister, Les Cooke; on my right and behind Les is Ross MacLellan, the assistant deputy minister in charge of operations. On my left is the assistant deputy minister, Bob Blackwell of management services, and behind Bob is Donna Kellsey, the director of finance and administration. Bob McEachern, the manager of commercial services has joined us at the back of the House, and I would like to welcome them, and thank you for the opportunity to introduce them.

Item 1

Mr. D'Autremont: — Thank you, Mr. Chairman. I'd like to welcome you here today, Mr. Minister, and the officials.

Mr. Minister, as you are probably aware, today was the day that the World Wildlife Fund released their report dealing with the endangered spaces in Saskatchewan. And while it's not a very large report, I think it has considerable to say, as it affects Saskatchewan. And I would like to read a little bit from that report which was released today at 10 a.m.

The headline is: Saskatchewan gets D plus for natural areas protection. Now, Mr. Minister, D plus is a significant change from last year. And while I don't have anything particularly against D's — since both my first and last name start with D — when it comes to a grade, a grade average, D's are not noted for being one that one would aspire to. Now perhaps Alberta should aspire to a D, but the rest of Canada, Mr. Speaker, seems to aspire for something more than that.

Last year Saskatchewan had a B minus. And now I realize that there has been somewhat of a change to the accounting method or the grading method for the endangered spaces, but even with that change in place, Saskatchewan dropped from what they were last year, dropped under your administration that has promoted the idea, has presented motions to the House stating that the goals of the World Wildlife Fund are very laudable, that we need to pursue the goal to reach 12 to 13 per cent representation from each of our ecosystems. And yet under your administration, Mr. Minister, we've gone backwards from that — backwards.

(1630)

I'd like to quote from the report where it says: however, progress will have to be much quicker than this, and the public still hasn't seen a plan for the fulfilment of the current government's commitment to protect the endangered spaces of Saskatchewan. Such a plan is urgently required if the province is going to save remaining natural areas before it's too late.

And the next line, I think is the one that typifies the entire operation of the government, not just in your department, but across the board, Mr. Minister. And I quote again: so far we have seen enthusiastic concern from the public and from the floor of the legislature, but limited progress on the ground.

All talk and no action — that's basically the hallmark of your administration, Mr. Minister. Mr. Minister, can you respond to the World Wildlife Fund's criticism of your inaction?

Hon. Mr. Wiens: — Mr. Chairman, if the member from Souris-Cannington has a little bit of patience, I will help him understand the problem. If the member had continued reading — I don't have the page open in front of me — I think he would have said . . . I think the report continued to say that reorganization of the department unfortunately allowed progress not to be made.

I want to challenge some of the contentions of the World

Wildlife Fund paper, while first of all saying that their goals and ours are the same. We want to put forward a biodiversity strategy that ensures a solid base for life to continue that our children inherit as rich a living earth as we have inherited, and so the objective in that sense is the same.

But in terms of the assessment of what we have been doing, it is very clear to me that it is because of the reorganization of the department that we actually are beginning to get a hold on putting the basis in place to move forward. And I want to say cooperatively that we have been one of the first Canadian provinces to adopt the Canadian biodiversity strategy, and we will be supporting it at the Canadian council Ministry of Environment meeting in Yukon in May. And it outlines the strategies by which we, as a society, meet our international obligations in order to make sure that the world is a healthfully living planet for the future.

So I want to possibly allow you further comment, allow the member from Souris-Cannington some further comment, but I want to simply to state clearly at the outset that we are proud of the direction we are taking, and we are on target to achieve the objectives by the year 2000.

And we just recently sponsored a Saskatchewan biodiversity convention at which more than 200 people attended from every interest area and society. And there was very strong support for the approach Saskatchewan has taken, albeit not the identical approach that some of the critics would use. Thank you.

Mr. D'Autremont: — Mr. Minister, the biodiversity conference that you had is again another example of your action — all talk and nothing happens. The Minister of Justice is all talk, and nothing happens. You're all talk and nothing happens.

Every time the Minister of Finance makes a change in your budget, you reorganize your budget. Under that type of criteria, Mr. Minister, nothing is ever going to happen to protect the endangered spaces in Saskatchewan. Because every time it looks like something might happen, you'll reorganize the department, and now you have an excuse. Well we didn't get it done because we were reorganizing the department. Well, Mr. Minister, that is not a good enough excuse.

Last year you did bring forward a number of protected areas, and I quote again from the report: a number of protected areas have been established over the last 18 months, but their contribution towards natural area representation has been minimal, in part because of the small size of most of these areas. Major efforts are needed now if we're going to meet the goal of maintaining Saskatchewan's natural heritage.

Mr. Minister, simply reorganizing your department is a pretty pitiful excuse for not moving on these issues. You've already agreed with the proposals. Why don't you do something concrete about it? You had the opportunity with the Bronson forest, and what did you do? You sold it. Mr. Minister, those are the kinds of things that get you a D or that will drop you below that if you don't finally get off the pot and do something.

So, Mr. Minister, are you going to do something with this

budget that you're asking the province of Saskatchewan to allow you to spend?

Hon. Mr. Wiens: — Mr. Chairman, I want to say to the member opposite that the only person that would give us a downgrade for the responsible work going on in the Bronson forest is the member opposite and one or two of his colleagues.

That is necessary work that follows on agreements that are central to the nature of Saskatchewan and our relationship to first nations people and the resources that we are fortunate to jointly have an interest in in this province.

I want to say to the member opposite that we have a sound program in place to reach the objectives by the year 2000. I want to not dwell on the World Wildlife Fund's processes because, as you have acknowledged, they are in the process of changing them.

Just so possibly you can understand the context in which we are moving forward as a society to protect our living systems, when the original objective was set out by the World Wildlife Fund that 12 per cent of the world's spaces should be set aside, one has to acknowledge that they would have to concede that the other 88 per cent of the earth's surface would have been put to some other use.

So part of preserving ecosystems and living systems on earth is to do what we can with the 88 per cent to make it the most soundly managed environmental commodity or ecological commodity we have. And I want to say that farmers in Saskatchewan have been one of the prime movers in moving responsibly in that direction; 23 per cent of Saskatchewan farmers have moved to direct seeding in order to provide better protection for the soil and more friendly habitat for wildlife and the various biota that live on farm land.

And I want to say that we have recently come up with a policy on wetlands. And I want to say that we have recently tabled a new forest Act. And I want to say that we have recently put out the state of the environment report, analysing the boreal plain in Saskatchewan, identifying what we yet need to do. I want to say that we have initiated a gap analysis, which is the analysis of what our objectives are relative to what we have already done to see where we need to do more. That is all in process. And the process by which we will proceed is a process of strong public involvement.

The member opposite speaks negatively about taking time to do things. Well he spoke earlier today about the underground storage tank issue in Saskatchewan. I can tell you the way not to handle it is the way the previous government handled it. The way not to handle it is to say, we think this is a good solution; live with it. Well we inherited that mess from the members opposite, and we've had to make adjustments to the program because it makes more sense to do things differently.

And I'm telling you that as we set out these policies and programs, as we identify areas that need to be representative areas, as we identify new approaches to wetlands management or farm management or whatever it is in the economy, we are

going to do it with broad consultation because good environmental management — and that is the basis for ecosystem health — sound environmental management is based on a public understanding for what is necessary and good and the individual and corporate commitment to doing that. I can tell you that we are soundly based on achieving that goal.

Mr. D'Autremont: — Thank you, Mr. Minister. Well indeed environmental management does take planning, but it also takes action. When you talk about sound programs, I think that goes back to my original comments: sound, words — no action. And that's where you're still at. With all your fancy programs that you just put out propaganda about, are you protecting a single acre, a single acre?

Hon. Mr. Wiens: — I don't understand the exact focus of the question. The way in which we have approached the challenge of biodiversity maintenance and maintaining the health of the ecosystem is to approach it on a number of fronts, and some of that is working specifically with endangered species — to make sure that the burrowing owl and the swift fox and the whooping crane and other birds and wildlife and species that are at risk are helped back, hopefully, by changing our practices to become normal in the population again.

I can tell you last year, we set up the Quill Lakes Western Hemispheric Shorebird Reserve — not acknowledged in the report, by the way — in order to provide a nesting and feeding ground for migratory birds.

I can say that we need to work on, as I said earlier, the environmental management. We need to work on the identification of special areas within which the living systems are contained, so we have to identify the land forms and the various climatic and microclimatic areas in the province, each of which has a unique living system.

Clearly, we have many, many, many, many acres of areas in the province that are protected. And we have significant amount of work already in place, but we have lots of work yet to do.

So the question of whether we have protected 1 acre — we have protected hundreds of thousands of acres. We've protected millions of acres, and we, on top of that, have commitments from individuals, commitments from people who believe that it's their personal duty to do something about it, to protect their own spaces — all unidentified yet and all not part of the counts of those who would do that sort of counting.

So I can say yes, proudly; we have done very good work in that area. We need to identify where specifically yet we have to do more. And in setting out on that path, we published, as you're aware, earlier, in the last few months, a map of Saskatchewan, an ecoregions map, which identifies the various ecoregions in the province.

As you will be aware — if I can find the report — the third *State of the Environment Report* identifies those broad areas and specifically deals with the Boreal Plain as an area for study now and for examination, identifying the strengths and weaknesses of the management programs in that area till now.

And that will continue, but we will also look more deeply into each area — to identify what specific, living system habitat has to be protected in order to make sure that the basis of the life that we're a part of continues.

So yes, we've done many, many acres of protection, but the basis for our process is a process of identifying ecosystems that need protection, and they will sometimes be identified in acres and sometimes will be identified in practices.

Mr. D'Autremont: — Well, Mr. Minister, the World Wildlife Fund didn't give you a downgrade because you were making plans; they gave you a downgrade because you were not making plans and that you were not protecting any additional endangered spaces. That's why they gave you a downgrade.

Mr. Minister, when you're going through your environmental audit study that you just held up, surely within there you identified some areas. You presented three or four statements to the House in the last session that you were protecting new areas, the Steepbanks area.

So, Mr. Minister, while you're busy talking with your colleague across there, what are you doing to protect additional spaces? When you're talking about species, species can be designated as endangered and protected, but if they don't have a habitat in which to reside, that endangerment will continue until they become extinct.

So it's just not the species, Mr. Minister, that needs to be protected, but the habitat in which they live. And that's why it's so important that the endangered spaces be protected — to provide that habitat for those species such as the Baird's sparrow, I believe is one of those, that can be provided a space, a habitat for themselves to recover from that endangered species list because the habitat in which they reside is being used up, is no longer available to them to reside in.

And that's why the World Wildlife Fund is critical of you, why they have downgraded Saskatchewan in relationship to the rest . . . to their grading system.

When you look at this, Mr. . . . their national report, we're at the lower end of the scale, Mr. Minister. There's only one province that has something below a D and that's Alberta. And I'm sure that your government does not wish in any way, shape, or form to emulate Alberta's example. Even Manitoba's higher than we are. They have a C minus; British Columbia, your colleagues there of the same political persuasion, just got an increase again today. They're now an A minus. But yet you're going backwards, Mr. Minister.

So when are you going to do something to protect some more endangered spaces? What's your plan? When is it going to happen? What are the time frames?

(1645)

Hon. Mr. Wiens: — Mr. Chairman, to the member opposite, it may be useful to note that the vast majority of assessments in this plan are D's, and not to get into rating systems but as I

already identified to you, the World Wildlife Fund has decided it is going to shift the way it evaluates. We were one of the ones who encouraged them to shift the way they evaluate because we believe that our approach is the right approach and we will continue to proceed in that approach, and that is to proceed in a logical way of policy development that leads to an opportunity for our society to move forward together with one commitment to achieve these goals.

I want to put out a challenge to the member opposite. Now that we've adopted the Canadian biodiversity strategy — and we'll be supporting the national biodiversity strategy at our Canadian conference of ministers of the Environment — I would encourage the member opposite to consider putting his blessing to that approach.

I would ask the member opposite to acknowledge that only two years ago we set aside 3.4 million acres in The Wildlife Habitat Protection Act, which is not acknowledged by the World Wildlife Fund because of the way they are doing ratings. I can tell you that those lands are substantially protected in terms of the ecosystem functioning.

The member opposite could, if he's very interested in this, take up Saskatchewan's cause with his brothers in the World Wildlife Fund and encourage them to understand that Saskatchewan has done much, rather than making up political speeches about the inadequacy of what's being done when he knows it's not true.

I want to say that only recently we adopted a new wetland strategy for Saskatchewan. I would encourage the member opposite to take his public stance with others in adopting the wetland policy as an appropriate policy that helps us re-examine the way we use wetlands in Saskatchewan. I want to encourage the member opposite — and he will get a chance as we work through out new forest Act which is tabled as a White Paper in this legislature in this session — to take a stand in favour of the significant measures in the new forest Act.

The member opposite wants me to go on and list the real measures we're taking as government. I could keep you here till 10 o'clock tonight, but I list these only so that the member opposite understands that there are things that are being done that are significant. And the member opposite ought to commit himself to the significant measures that are taking place so that the empty words he speaks on the other side actually have some substance to them, because the meat is here, I can assure the member. And I'll list some more if he cares to get up and continue the debate on that front. The meat is here, and we're going to continue to implement according to a very sound plan on a very sound basis.

Mr. D'Autremont: — Well, Mr. Minister, the 3.2 million acres that you talk about . . .

An Hon. Member: — Three point four.

Mr. D'Autremont: — Three point four, excuse me. Habitat is environment that is under cultivation in a lot of cases. It's areas that farmers have set aside and said, we will not burn. We will

not do brush clearing. We will leave the land as it is. And that's the kind of environment you're talking about. It's not natural, pristine ecosystem that was in place as it was before your and my ancestors arrived on this continent. It's as it is today after we've changed it. And that's the kind of an environment you're talking about.

The World Wildlife Fund is looking for spaces that can be protected in their natural state, not in some altered state. And that's what they're asking for: 12 to 13 per cent of the varieties of our ecosystems to be protected in their natural state, Mr. Minister. And that's not what you have been doing.

They're looking for new lands to come into that protection system and you're not providing that. When we do have areas that have been set aside as recreational areas or protected areas, you're diminishing the number of acres in those areas, not increasing it, Mr. Minister. And that's why you're getting the downgrade.

Hon. Mr. Wiens: — Well I ask the member opposite to please go home and do a little bit of research before he speaks more ineloquently on the subject on which he seriously misspoke himself a minute ago.

I can tell the member that the condition for protection of the lands under The Wildlife Habitat Protection Act is that it has not been cultivated. It has not had the treatment the member opposite identifies. This is protected land.

And as I asked the member a minute ago, I would ask the member to stop trying to make Saskatchewan look negative when we're doing very, very positive work. I asked the member to work with us in identifying for these people who reside outside of Saskatchewan, that what is going on in Saskatchewan is sound. Because I can tell the member that at the biodiversity conference here in Saskatchewan, all of the provincial conservation organizations were represented and the World Wildlife Fund was not.

I say, I continue to say, that we share their goals. But we would also ask them to make a commitment to Saskatchewan. I can say to the member opposite that we engaged in a five-year agreement with the World Wildlife Fund some time ago. After two years they withdrew their funding. And we've continued that work and the endangered species program on our own without their funding.

So I simply say that Saskatchewan has acted with discipline and with commitment and in support of the initiatives that we have launched. And I would challenge the assessments that say that that work has not gone on here. And I would invite the member opposite to be more positive about the very sound work that we're doing here and to, as I said earlier, give his public support to the significant initiatives that we have launched because it's important that we all work on this together.

The committee reported progress.

The Assembly adjourned at 4:54 p.m.

April 19, 1995
