

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Osika: — Thank you, Mr. Speaker. A petition once again on behalf of concerned citizens of Saskatchewan with respect to the closure of the Plains Health Centre. The prayer reads:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The signatures are from Indian Head, Balcarres, Redvers, White City, Vibank, Lebret, Pilot Butte, and Regina, Mr. Speaker.

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, I rise today to present petitions of names from people throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed this petition, Mr. Speaker, are from two communities — Swift Current and Regina. I so present.

Mr. Bjornerud: — Thank you, Mr. Speaker. I'd also like to present petitions of names regarding closure of the Plains Health Centre. The prayer reads:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The communities of the people that have signed the petition are from Yorkton, Regina, and Churchbridge, Mr. Speaker.

Mr. Gantefer: — Thank you, Mr. Speaker. I rise as well on behalf of citizens concerned about the impending closure of the Plains Health Centre. The prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

Signatures on this petition, Mr. Speaker, are from Abernethy, Dysart, Balcarres, Lestock, Whitewood, Cupar, and the city of Regina.

Ms. Draude: — Thank you, Mr. Speaker. I rise again today to present petitions of names from people throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed this petition are from Kuroki, Wadena, and Yorkton.

Mr. McLane: — Thank you, Mr. Speaker. It's my pleasure to rise again today to present a petition of concerned citizens regarding the Plains Health Centre. The prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider the decision to close the Plains Health Centre.

Mr. Speaker, the petition is signed by the residents of Arm River, in particular from the community of Bethune.

Mr. Aldridge: — Thank you, Mr. Speaker. I too rise to present petitions of names of Saskatchewan people with respect to the Plains Health Centre. And the prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And those who have signed this petition, Mr. Speaker, are from the communities of Mossbank, Moose Jaw, and also the city of Regina.

Mr. McPherson: — Thank you, Mr. Speaker. I rise with my colleagues today and the people of Saskatchewan in their efforts to save the Plains Health Centre in Regina. The prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed this petition are from Cupar, Swift Current, Holdfast, and many from Regina, especially some of the constituencies on the south end of Regina such as Albert South. I so present.

READING AND RECEIVING PETITIONS

Clerk: — According to order petitions regarding the closure of the Plains Health Centre have been reviewed, and pursuant to rule 12(7) they are hereby read and received.

NOTICES OF MOTIONS AND QUESTIONS

Mr. D'Autremont: — Thank you, Mr. Speaker. I give notice that I shall on Tuesday next ask the government the following question:

To the Minister of Justice, provide explanations why the following Criminal Code charges were stayed: (1) charge no. 1692225 regarding Steve Connelly; (2) charge no. 1753412 regarding Tim Zareski; (3) charge no. 1753413 regarding Tim Zareski. I so present.

INTRODUCTION OF GUESTS

Mr. McLane: — Thank you, Mr. Speaker. It's my pleasure this morning to introduce to you and through you to the members of the Assembly, some folks from my constituency, namely the grade 7's and 8's from Bethune. Accompanying them today, the 31 of them, are their teachers, Marlene Belliveau and Deanna Seidlitz — I hope I'm pronouncing these names right; they're tough so early in the morning — as well as chaperon, Debbie Wisniewski, is with them this morning.

The interesting thing about the school that they're here representing is that last fall these students were part of a group that helped their school reach their emerald status, Mr. Speaker, completing their 500th environmental project. And I'd ask all members this morning in . . . help me welcome them and congratulate them on their efforts at their school.

Hon. Members: Hear, hear!

Mr. Flavel: — Thank you, Mr. Speaker. Mr. Speaker, it gives me great pleasure this morning to introduce through you and to you to the other members of the Legislative Assembly, 22 grade 10 students that are seated in your gallery from the Robert Southey School in Southey, Saskatchewan. They are attended today by Mrs. Diana Ritter, that brings quite a few groups to us and we certainly appreciate her bringing them in too, along with Mrs. Valerie Dolha and the bus driver, Mrs. Reid.

I see they have just arrived and they will be taking a tour later and we will be getting together to share some drinks and some conversation. And hopefully if the questions get too tough I will come and get your assistance. But I hope they won't.

I hope they enjoy their day in Regina and in the legislature, and that all members are on their best behaviour so the good word goes back to rural Saskatchewan that we actually do accomplish something in here.

So I ask all members to please join with me in welcoming the Robert Southey School to our legislature.

Hon. Members: Hear, hear!

Ms. Hamilton: — Thank you, Mr. Speaker, it's my pleasure on behalf of my colleague from Regina Dewdney to introduce to you and through you to all members of the Legislative Assembly, 7 students and 3 staff members from F. W. Johnson Collegiate, an interesting grade — it's the TLC (Transitional Learning Centre) class.

We're very pleased to have them here this morning. They're going to be going on a tour, view some of the proceedings during the question period, and I'd be delighted to meet with them in the Speaker's boardroom for refreshments and for questions about the proceedings.

I'm sure they'll find their morning very interesting. I ask all members to join with me in welcoming the 7 students who are seated in your gallery.

Hon. Members: Hear, hear!

Tabling of Liberal Party Contributions

Mr. Osika: — Thank you, Mr. Speaker. Just yesterday the Minister of Post-Secondary Education stood in this House and stated that if his party was guilty of violating The Election Act so is the Liberal Party. I want to make it perfectly clear that that statement is not correct. All donations to the Saskatchewan Liberal Party that are \$100 or more are disclosed. All the donations are disclosed, not just some. The Saskatchewan Liberal Party has no secret trusts, no secret bank accounts, and no secret safety deposit boxes. The only secret funds we might have is change stuck in the chesterfield, Mr. Speaker.

I would also like to clarify that I've had no desire to meet with the Minister of Post-Secondary Education to discuss loopholes in The Election Act, but I am interested in discussion centred around ensuring that the laws that already exist are properly enforced. Right now I have a list of all contributions received by myself and my nine colleagues, and I would like to table them. I would hope that all other members in this Assembly could also confidently do the same.

Some Hon. Members: Hear, hear!

Favourable Statistics for Saskatchewan

Mr. Thomson: — Thank you, Mr. Speaker. While the members opposite are busy navel gazing at their own party financing, I want to talk about some of the good news that's happening in the social and economic life of our province.

Hope and optimism abounds in our province and there's good reason. The crops are nearly in, housing sales and starts are up, business starts are up, and today the stats for the labour force and employment record of our province is now available.

These statistics say the Saskatchewan people are working, and indeed working in increasing numbers. Mr. Speaker, Saskatchewan has the lowest unemployment rate in the country at 6.6 per cent. Alberta is next at 7.4. Of course the Conservative members will say everything is better in Alberta except the prospects of having a job.

Sector by sector in Saskatchewan the numbers are up. Agriculture is up. Construction is up. Transportation is up. In total, all sectors see an increase of May over April of 7,000 more people working.

Mr. Speaker, I would boast just slightly for my city of Regina which has the lowest unemployment rate in the country at 5.8 per cent — better than Calgary, better than Edmonton, better than Toronto. Saskatchewan and Regina are doing quite nicely, as the stats suggest. The numbers are good, the economy is buoyant, people are working, and housing sales are booming.

Mr. Speaker, I would just conclude by saying that with the housing sales being so strong in the city of Regina, perhaps the member for Thunder Creek would like to consider putting his house on the market and moving into the rural area of Thunder Creek that he claims to represent.

Thank you.

Some Hon. Members: Hear, hear!

Wet Seeding Conditions at Kamsack

Mr. Bjornerud: — Thank you, Mr. Speaker, Mr. Speaker, I'd like to call attention to the potentially disastrous conditions facing farmers in the Kamsack area. The unusually wet conditions this spring kept many of these farmers out of the fields until just recently. Now heavy rain and hail is washing away and has washed away many of the seeded crops.

People in the Kamsack area are also forced to attempt travel on many flooded or horribly rutted roads because of the excessive water. As a farmer, I can appreciate the frustration that they are going through. After struggling through many years with pitifully low grain prices, every farmer deserves a chance to reap the benefits of this year's higher market prices.

To make matters worse, many of them have told me that they feel that the current crop insurance programs are badly lacking and they want the government to sincerely consider their plight when redesigning the crop insurance program this year. I hope the ministers of Agriculture and the Minister of Municipal Government will carefully monitor the flooded conditions in the Kamsack area, and if conditions keep deteriorating, will consider ways to assist these people.

Some Hon. Members: Hear, hear!

Launch of Regina Dragon Boat Race Festival

Ms. Hamilton: — Thank you, Mr. Speaker. Yesterday morning I was happy to join with the president of a wonderful event, Dawn Redmond Bradley, during Tourism Awareness Week in Saskatchewan to represent the government at the official launch of the 5th Dragon Boat Race Festival. The race is to be held on Labour Day weekend, August 30 and 31.

This is a very colourful and spectacular festival and it's known as Regina's fastest growing community event. The festival not only includes the wakening of the dragon ceremony, the exciting boat races for which there will be at least 65 teams this year, but also offers multicultural performers and foods from around the world.

Yesterday's launch included an opening ceremony with a dragon constructed and manned by Henry Braun School students. The team, Dragon Ladies, from Crown Life shared their award-winning cheer. Crown Life is also a presenting sponsor.

Mr. Speaker, the fact that this community event is but five years old and it has already become a popular event has at least a couple of lessons for us. First of course it shows once again the incredible spirit of cooperation that exists between individual volunteers, volunteer organizations, corporate sponsors, and government, and I congratulate all who donate their time and energy to its success.

But also the Dragon Boat Festival, the largest per capita festival

in the world, is one more reminder of the increasing importance to our economy of the cultural life of the Pacific Rim. Congratulations. The single paddle represents harmony, friendship, and peace, among the world's people.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Two-year University Classes for Northern Saskatchewan Students

Mr. Sonntag: — Mr. Speaker, historically a major barrier to many Saskatchewan students receiving a university education is simply the distance between their homes and the two universities. This is particularly true for northern first nations students who wish to attend the Saskatchewan Indian Federated College here in Regina.

I'm happy to report to the Assembly that a program announced yesterday in Meadow Lake will go a long way towards removing this barrier to university education. The Meadow Lake Education Consortium, through the initiative of the Meadow Lake Tribal Council, will begin this September to offer university classes which will take students through their first two years.

These classes will be offered at the Woodland Institute campus of SIAST (Saskatchewan Institute of Applied Science and Technology) in Meadow Lake and additional classes will be offered by the North West Regional College, one of the partners in the consortium.

These classes are taught by the Saskatchewan Indian Federated College and accredited by the University of Regina. They will lead to a four-year general arts and science degree.

Mr. Speaker, as was said yesterday, this historic step is the result of the cooperation and vision of our education and community representatives who are committed to expanding their training opportunities which support the economic and social development of our northern region. I suppose this is Saskatchewan's version of bringing the mountain to Mohammed.

I congratulate all the members of the Meadow Lake Education Consortium, and I wish the first 50 students who are beginning their studies this fall all the very best. Thank you very much.

Some Hon. Members: Hear, hear!

4-H Achievement Days

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I rise today to congratulate the many 4-H clubs across this province and certainly those in my constituency, the constituency of Moosomin, that are holding their annual 4-H Achievement Days.

In the Moosomin constituency, there are 4-H youth involved in beef, riding, and home craft clubs, which teach solid, practical skills that will benefit our young people later in life. Mr.

Speaker, the 4-H motto is, "learn to do by doing." It is a straightforward message that works. Through 4-H, young people learn to work together, to support one another, and to be responsible members of our communities.

Mr. Speaker, I would also like to extend my congratulations to the Wawota 4-H Beef Club which are celebrating their 50th anniversary this year. I would also like to thank all the 4-H leaders and parents that have taken the time to support this program throughout the years. Our children, our communities, and our province, have greatly benefited because of their efforts. Thank you.

Some Hon. Members: Hear, hear!

Destination Saskatchewan and the Regina Airport

Ms. Murray: — Thank you, Mr. Speaker. Did you know that over one million people visit the Regina airport each year? Tourism Saskatchewan is aware of that fact and has decided to take some positive action.

Earlier this week, Tourism Saskatchewan, with the help of the Economic Development minister, announced its plans to transform the Regina Airport into a tourism theme park under a new initiative called Destination Saskatchewan. The timing is perfect because this is Tourism Awareness Week.

Destination Saskatchewan offers businesses and organizations the opportunity to sponsor one or more of a number of tourism-related displays throughout the airport. The Regina airport has licensed Tourism Saskatchewan to seek corporate sponsorship for its tourism-related exhibits and displays. Megamunch, the animated Tyrannosaurus rex, is Destination Saskatchewan's premier showpiece. It was moved to the Regina airport with the support of the Royal Saskatchewan Museum and the Eastend Tourism Authority. Destination Saskatchewan will also be extended to the Saskatoon airport. At the unveiling ceremony for Destination Saskatchewan and in recognition of Tourism Awareness Week, Tourism Saskatchewan presented the Economic Development minister with a cheque for \$1.1 billion, representing tourism's contribution to the economy.

With positive initiatives like this one, it's no wonder that tourism is one of the fastest growing sectors of the economy. Thank you.

Quality Physical Education Award at George Lee School

Mr. Trew: — Thank you, Mr. Speaker. On Wednesday I had the pleasure of representing the Hon. Minister of Education at George Lee School, which is my neighbourhood school where my three children went and attended grades 1 through 7.

George Lee School was presented with a Quality Physical Education Award, an award that originates with the Saskatchewan Physical Education Association, and it recognizes the time of physical activity for students, the participation that is encouraged by all students. And it has a wellness component that encourages students into ongoing physical education and physical activities.

The chairman of the Curriculum Advisory Committee for Regina School Division No. 4 is Greg Harding. He is also the George Lee push, if you like, spearheading the physical education excellence that is going on at George Lee. Mr. Harding does so with the full support and encouragement of the principal, Vern Unrau. So to Greg Harding, Vern Unrau, all the staff and students at George Lee School, take a bow. You deserve our gratitude for the terrific work that you're doing together in the area of physical education and wellness.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Political Contributions

Mr. Osika: — Mr. Speaker, just moments ago the Liberal opposition tabled documents in this House which detail contributions to our members in this House. We refuse to be tarnished with the same brush as government members or those in the third party.

Will the minister ensure to undertake that all members table similar disclosures either with this House or the Chief Electoral Officer?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — Mr. Speaker, I don't know how many times I have to repeat that, but we have taken all the advice we can get on this matter and our advice is that we're in full compliance with the law.

The problem seems to be the bizarre interpretation that the official opposition and their advisers have placed upon the existing Election Act — obviously they don't understand it. What I have been trying to do for the last several days, and which I think I've been successful in doing this morning, is to agree on a time when we can sit down together and look at the Bill that's in front of this legislature to ensure that we can spell out the provisions clearly enough so that we can all understand them, so that we don't come up with any more of these bizarre interpretations.

According to the bizarre interpretation that the official opposition has placed upon sections of the Act, they have not been in compliance with the Act. That's the fact of the matter. They don't get in compliance with the Act through tabling in this House. They get it through the mechanisms provided in the Election Act.

Let's meet on Monday, as you have finally agreed to do, and let's see if we can come up with very clear rules that we can all understand.

Some Hon. Members: Hear, hear!

Mr. Osika: — Thank you, Mr. Speaker. The Minister of Post-Secondary Education questions why I would not meet with him to discuss the issue behind closed doors. My response is that the matter should and must be dealt with in the Legislative Assembly. No more back-room politics about this.

Mr. Speaker, the minister made a number of comments yesterday to the media suggesting that, and I quote: "We should clarify what the law is and if we want to change, let's change it now."

Mr. Speaker, the fact remains there is nothing wrong with the law. This is the same law that the Premier lauded as the attorney general in the former Blakeney government. The specifics of The Election Act are black and white.

Will the minister admit that the only problem here now is the fact that his party refuses to follow the law?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — My previous answer indicated that I certainly do not agree with that — I do not agree with that. The advisers of the official opposition and them — and the official opposition themselves — have consistently interpreted the Act in a way in which the words just don't bear it, the words just don't bear it out. We have a disagreement here obviously about the correct interpretation of the Act.

My invitation has not been to somehow meet behind closed doors but to continue a process of consultation with respect to the contents of The Elections Act which has been going on for months. We've been talking about what should be in that Act; let's talk about this issue too and ensure that what is in the Act is so clear and simple that even the official opposition can understand it.

Some Hon. Members: Hear, hear!

Mr. Osika: — Thank you, Mr. Speaker. As relating back to my comments yesterday, I guess that's the reason why we have defence counsel, we have prosecution, and there are differing views on how certain sections of the law are interpreted, and it appears we have one here.

Mr. Speaker, the minister indicated the nature of his discussions with the third party on this issue have revolved around whether the obligation to report on contributions should be tightened.

Well, Mr. Speaker, if the New Democrats and Conservatives are willing to look at the changes, they must feel that there are problems with the current legislation. And if indeed the minister believes there needs to be a change to the Act to tighten up loopholes that might exist, will the minister table documents in this Assembly today indicating exactly what these loopholes are and what amendments he intends to propose to close them?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — Now, Mr. Speaker, with all respect, the member's got it all wrong. We're in no doubt as to what the Act says — no doubt at all. The people who seem to have some trouble understanding what the provisions of the Act actually mean is the official opposition.

I propose that we simply get together, the three parties in this House, and spell it out in terms that are clear and unequivocal so that even the official opposition can understand what those

provisions mean.

Some Hon. Members: Hear, hear!

Mr. Osika: — Mr. Speaker, as I mentioned earlier, this is an issue that should be debated in this legislature, where The Elections Act was first introduced by the Premier of this province.

Mr. Speaker, the minister insists that now is the time to introduce amendments to the Act because the legislation is before the House. Well he has indicated that he would be in favour of making changes to tighten up loopholes. If this is the case, will the minister explain, why did his party choose to abuse the Act rather than close up these apparent loopholes earlier?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — Mr. Speaker, let me repeat this again. We don't believe there is any doubt as to the correct interpretation of the Act. We don't think there's any loopholes there. You apparently do. You've come up with a bizarre interpretation of the Act that has never been applied before — an interpretation of the Act with which you have not complied with before.

If your interpretation should happen by some miracle to be correct, you are not in compliance with the Act. You have had . . . by media reports, your party has received — their party, Mr. Speaker — has received almost \$2.8 million since 1978 where contributions have not been reported to the Chief Electoral Office. No names have been provided about who gave the money. Now if your interpretation is correct — and I don't think it is — then you're not in compliance either.

Let's change the Act and spell out clearly what are the requirements, so that even you can understand them.

Some Hon. Members: Hear, hear!

The Speaker: — Now I'm going to ask for cooperation of members of the House. I was having a great deal of difficulty being able to hear the words that the minister was saying in the conclusion of his response. And I will ask for cooperation of all members of the House to allow the question to be put and the answer to be provided in a way that all members of the House are able to hear them.

Mr. Osika: — Mr. Speaker, since there appears to be some way that we can't get total clarification on this from the Minister of Post-Secondary Education, my next question is to the Premier. Mr. Premier, in 1978 you, as attorney general, presented to this Assembly amendments to The Election Act, and in so doing stated, and I quote from page 2625 of *Hansard*, May 10, 1978:

. . . (all political contributions) all contributions to and payments on behalf of political parties and candidates must be handled through registered agents or the business manager.

The other day the Minister of Post-Secondary Education

publicly stated that he approved of anonymous political donations, and contends that such anonymous donations are permitted by the legislation you introduced.

Mr. Premier, will you clearly state to this Assembly whether or not you too approve of anonymous political donations, or do you stand by the statements you made in this Assembly in 1978?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — This Act that we have before the legislature now, The Election Act, was last amended in the 1970s, and my memory is that it is the now Premier who carried that Act through this legislature. Obviously that Act reflects his thinking at the time, reflects his thinking up to now. But we on . . . the government, in consultation with both opposition parties, have considered amendments to that Act. That's the fact of the matter.

We have in Canada been wrestling with this question about the disclosure of names of political donors for a long time. And we have a law in Saskatchewan which is consistent with the laws across the country, which reflects the current thinking. Now if it is time. . .

The Speaker: — Order, order. Now the Speaker is having difficulty being able to hear the answer being provided, and there has been persistent interruption, including shouting across the floor, from the opposition. And I will ask all hon. members to allow the question period to proceed with both the questions and the answers being provided in a way that the House can hear. Order.

Hon. Mr. Mitchell: — Mr. Speaker, if it is time to introduce into The Election Act, provisions requiring all donations to be reported in any circumstances or some donations to be reported or whatever, I have offered, the government has offered over the last three days, to meet with the opposition parties and discuss this and put it into the Acts, put it into the Act. Now we have had these discussions, Mr. Speaker, for months and they had an opportunity to say section 207 was deficient and should be improved; section 219 is deficient and should be improved. Nothing like that was ever brought to our attention, but we are prepared to discuss it.

You have finally agreed to meet with me next Monday. We can begin those discussions and hopefully come to a conclusion where we can all be satisfied that the provisions in this province are appropriate.

Some Hon. Members: Hear, hear!

Plains Health Centre Closure

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, my questions today are to the Minister of Health. Mr. Minister, on many occasions your government has promised there would be no . . .

The Speaker: — Order, order, order. Now the Speaker is having a great deal of difficulty once again being able to hear

the hon. member from Moosomin put his question. And the interruptions are coming from both sides of the House, and I will ask for all members of the House to provide for the questions to be put and the answers to be provided in a way that all members can hear.

Mr. Toth: — Thank you, Mr. Speaker. Again to the Minister of Health. Mr. Minister, on many occasions your government has promised there would be no overall job loss as a result of the closure of the Plains Health Centre. According to a leaked cabinet document reported in today's *Leader-Post* significant job loss is expected as a result of the Plains closure.

Mr. Minister, the truth is now out. Closure of the Plains is going to result in significant job losses. Mr. Minister, how many jobs are going to be lost and why have you been telling workers that no jobs would be lost?

Some Hon. Members: Hear, hear!

Hon. Mr. Cline: — Mr. Speaker, as I stated in this House previously in response to a question from the official opposition, my understanding is that the Regina Health District has said to the employees of the Plains Health Centre that employees employed there as of April 1, 1993, I believe, have been guaranteed that they will be employed in the new configuration of the Regina District Health Board.

I've also indicated that employees who have been employed at the Plains Health Centre subsequent to April 1, 1993 have been advised that while the board will try to find them employment, that is not guaranteed. That has been the understanding between the Regina Health District and its unions, I believe. That is what I have indicated in the House before; that's what I indicate in the House today.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Further question to the minister. Mr. Minister, your leaked cabinet document anticipates significant job loss as a result of the Plains closure. You have said that jobs lost at the Plains would be absorbed at the other two hospitals, and I believe you just made that comment again.

It is now clear that you knew all along that was not the truth. What else aren't you telling us about the closure of the Plains? You have said there would be no significant reduction in services. Is that the truth? How are we supposed to believe anything you say about this issue when it's clear you didn't tell us the real story about the job loss.

Hon. Mr. Cline: — Mr. Speaker, I just gave a very clear answer to the member. I don't know if the member listened to the answer or not, but the answer I gave is very clear. The answer is consistent with what I have said in the House before. The answer is consistent with what the Regina Health Board says.

So I don't know how I can answer that specific question any more specifically than I have, because I have answered it for the member. The member can get up and repeat the question again,

but the answer will be the same as I've given before and as I give today, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Last question to the minister. Mr. Minister, if you'd take the time as I have in the last number of months just to stop at the Plains Health Centre to visit patients, you would see the fine job that has been done. You would also see the heavy workload and some of the excessive running that the staffing have had to do just to try and keep up because of the reduction in jobs and services that are available.

Mr. Minister, you really haven't been telling us the truth. While you say you have, at the same time people outside of this Assembly do not really believe they've been receiving the truth.

Mr. Minister, will you put the decision to close the Plains on hold until there is an independent review of your decision to close the Plains Health Centre?

Hon. Mr. Cline: — Well as the member knows, Mr. Speaker, there have been three boards now of the Plains Health Centre that have decided that the best thing to do is to consolidate the services. But the problem that the member has, which is the same problem that the official opposition has, is they cannot accept the fact that sometimes there is change in the health system that we have to plan to accommodate. One of the changes is, surgery is done in a different way today than it used to be done before. Instead of ripping people open all the time, we have laparoscopic surgery, we have orthoscopic surgery. Hospital stays are much shorter than they used to be, Mr. Speaker.

The fact of the matter is many changes have been made in the health care system. Today the health care system also emphasizes caring for people in the home, in the community; sometimes it's much more cost effective. It also keeps them, I think, healthier, happier, and more independent, which in the long run leads to a healthier population. The problem the members have is that they cannot accept change, Mr. Speaker.

Some Hon. Members: Hear, hear!

Political Contributions

Mr. D'Autremont: — Thank you, Mr. Speaker. My question is to the Minister of Post-Secondary Education, the minister responsible for The Election Act. Mr. Minister, since 1980 the NDP (New Democratic Party) have failed to report \$2 million in loans received by the party, even though this is a clear requirement of The Election Act.

Mr. Minister, when questions were raised about our party's reporting practices, we asked the electoral officer to examine them. Mr. Minister, as minister responsible for The Election Act, don't you think the NDP should be doing the same thing? Shouldn't the NDP take the first step by asking the electoral officer to review the reporting practices of the NDP with regard to Tommy Douglas House and these unreported loans?

Hon. Mr. Mitchell: — Thank you, Mr. Speaker. I read the newspaper reports on this subject this morning and it seems to me that that in effect has already been done. Mr. Proctor indicated that he was willing to open the books to the Chief Electoral Officer, and I quote from the news report: "If Mr. Kuziak wants to take a look at it or wants to talk to our auditors about that, of course we would comply with that."

And certainly that's the case. We've got nothing to hide in this thing. Our practice is, I think, the same as everybody else's. Everybody knows how these things are done and we're quite prepared to cooperate.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. To the minister, a supplementary question. Mr. Minister, will you voluntarily turn over those records to the returning officer . . . to the Chief Electoral Officer without him having to ask for them in the first place, as has been done by our party.

Hon. Mr. Mitchell: — I think we're just in a question of semantics here. I mean the . . . as a result of the news report, the issue is out there. The question is out there.

We're satisfied that we have complied with The Election Act in respect of this matter as well as the other matters that have been raised, and our books are wide open. I don't know how the thing will play out, who will phone who or who will write who. But in whatever way it works, in whatever way it works, if the Chief Electoral Officer thinks they're anything in the allegation made by the media, then no doubt it will be followed up, and we'll cooperate fully.

Some Hon. Members: Hear, hear!

Drunk Driving Accidents

Ms. Draude: — Thank you, Mr. Speaker. Mr. Speaker, the month of June holds tragic memories for some Saskatchewan parents. These are parents who are still coping with the loss of their children killed in alcohol-related graduation accidents.

Most of us have personal experiences involving the agony of losing family members or friends, and these losses affect entire communities. Statistics show that almost half of the drinking drivers in Saskatchewan involved in accidents last year were between the ages of 16 and 24.

Mr. Speaker, we supported the new legislation that will lower the legal blood alcohol limit for drivers to .04, but it will only come into force upon proclamation. Mr. Speaker, now the Minister of Justice has a tool to save young lives. Will he proclaim the Act before another senseless tragedy occurs?

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Well thank you very much, Mr. Speaker. I'm pleased to answer the question this morning to the hon. member. Certainly recently in the legislature, we have debated and worked through the Bill that the member relates to and speaks of. And certainly we supported that legislation by passing it. And, Mr. Speaker, we know that the member

opposite had introduced an amendment to reduce the .04 to zero tolerance.

But I've indicated to the member previously and say to the member again that we will be examining that legislation over the next couple of years and will be certainly promoting her position if that becomes a requirement in the future.

Some Hon. Members: Hear, hear!

Ms. Draude: — Mr. Speaker, as the minister said, we did ask the government to go one step further to protect our young people. We proposed the amendment that would have seen 16- to 18-year-olds automatically lose their licence if they were caught driving with any alcohol in their blood system. We believe a zero tolerance policy for teen drivers would be a strong deterrent against drinking and driving during graduation celebrations.

For the record, will the minister explain why they have chosen not to support the amendment at this time?

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Well thank you, Mr. Speaker. Certainly when we addressed the Bill and spoke to it at some length, I'd indicated to the member that the work of the committee across the province recommended two specific positions on it.

One, Mr. Speaker, is that they would certainly recognize the need for zero tolerance, but at this point in time the all-party committee suggested and highly recommended — of which there was Liberal representation on that party — that it would be discriminating against new drivers, Mr. Speaker. It would be a discrimination against new drivers if we were to indicate only that the age group from 16 to 18 would be singled out, which was the key point.

Secondly, Mr. Speaker, the consultations that we had with young people across the province indicated to us that .04 would be the toughest legislation that we would have anywhere in the country, and a result of that, would like to see .04 as being the benchmark today, which would be reduced in the future based on examinations that we would make of that particular legislation over the next period of time.

And the Act will be proclaimed, Mr. Speaker, we're anticipating by the first part of August.

Some Hon. Members: Hear, hear!

Casino Tours

Mr. Osika: — Mr. Speaker, we all remember last fall when this government cut Saskatchewan tour operators out of the Casino Regina action when it came to out-of-province tours, instead awarding an exclusive, untendered contract to a Manitoba company. Now it appears local operators will get a crack at the in-province market. However, one of their major competitors will be Regina casino itself, which will begin advertising its own tours as early as tomorrow.

Can the minister of Gaming explain why the government is going into competition with private operators for in-province casino tours?

Some Hon. Members: Hear, hear!

Hon. Ms. Crofford: — Thank you, Mr. Speaker. There is a pilot project that will be occurring involving Saskatoon only, due to the market-driven demand. We've done consultations on it.

I guess what I would wonder is why the member would get up . . . as my understanding is, the only other, major other tour operator within the province that does this kind of thing is largely taking people out of the province. So our goal would be to work with operators who are operating tour buses for the purpose of keeping people in the province.

Some Hon. Members: Hear, hear!

Mr. Osika: — Mr. Speaker, if this government would give local enterprise . . . if they give Saskatchewan entrepreneurs the opportunity, they could very well compete with those people that they're giving contracts to outside the province. According to tour operators we've talked to, they were given no guarantees as to when or if Casino Regina would get out of the tour business and leave it up to Saskatchewan entrepreneurs. Furthermore, in order to carry out casino tours, private operators must abide by a long set of conditions set out by the casino and this government, who are now in competition for the market.

Casino Regina plans to charge \$34.95 a person for these tours from Saskatoon — a cut-rate. Private tour operators say they can't compete. Dean Smith of Jackpot Tours says even if his private company runs their buses at full price, the best they can hope for is to make \$18 per bus — hardly worth their effort, Mr. Speaker.

Can the minister explain why her government continues to thumb its nose at private Saskatchewan companies when it comes to Regina casino?

Some Hon. Members: Hear, hear!

Hon. Ms. Crofford: — This was an RFP (request for proposal) process, Mr. Speaker. There was a successful bidder. The successful bidder is a P.A. (Prince Albert) bus company. And again I would emphasize that his goal is to tour people within the province.

Some Hon. Members: Hear, hear!

Treaty Land Entitlements

Ms. Draude: — Thank you, Mr. Speaker. Mr. Speaker, on Tuesday I asked the Minister of Environment what he was doing to ensure third parties were represented if the Okanese First Nations Band bought 10,000 acres of land in the area of Round Lake. He assured the House that when third-party interests could not be satisfied, the claims would not go through.

Nancy Cherney, from Environment and Resource Management, has stated that the 90-day review is too short to involve intensive public input so the decision will be made internally, based on the application.

Will the minister tell the public how they can be assured third-party interests will be addressed if there is no time for public consultation, and in some cases when people aren't even aware of the application process?

Some Hon. Members: Hear, hear!

Hon. Mr. Scott: — Thank you, Mr. Speaker. I thank the hon. member for the question. Certainly this is a very important issue and we are committed to settling third-party interests. We may involve mediation to achieve this goal, but certainly if it takes more than 90 days, we are going to do this right. And we are committed to working with the Indian bands in settling the TLEs (treaty land entitlement) and also addressing the concerns expressed by other people.

Some Hon. Members: Hear, hear!

TABLING OF REPORTS

The Speaker: — Before orders of the day, I wish to table the annual report on operations for the year ended March 31, 1996 as per section 14 of The Provincial Auditor Act and provided by the Provincial Auditor.

ORDERS OF THE DAY

GOVERNMENT ORDERS

ADJOURNED DEBATES

MOTIONS

Extended Hours

Mr. Gantefer: — Thank you, Mr. Speaker. I appreciate the opportunity to rise and conclude the remarks that I had talked about yesterday. I also wish that I would have the opportunity to carry on and speak about the issues of our greatest resource, our people in this province. However, I think that what I want to do is conclude and summarize the point that we were making.

Mr. Speaker, we've said all along that we're not opposed to longer hours and more work as official opposition, but we are fundamentally opposed to the government's attempt to stretch out the hours beyond what's reasonably able for people to put up with and to make sure that the debate is fully and properly carried out, and that we as a legislature do not make the mistakes of hastening our decisions beyond a reasonable amount.

Mr. Speaker, we've said all along that what we need is an opportunity and a gesture of good faith and a signal of good faith from the government. And, Mr. Speaker, I am optimistic that that signal of good faith will be forthcoming.

So, Mr. Speaker, I would like to conclude my remarks by saying that I really trust and believe that this legislature will take the proper time and due diligence to represent the issues before the people of this province properly. Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Motion agreed to on division.

SECOND READINGS

Bill No. 118 — An Act to amend The Trust and Loan Corporations Act

Hon. Mr. Nilson: — Mr. Speaker, I rise today to move second reading of The Trust and Loan Corporations Amendment Act, 1996.

The amendments in this Bill deal with two matters relating to the regulation of loan companies in Saskatchewan. First is the standardization of the regulations of all . . .

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

Mr. Toth: — Mr. Speaker, with just a question regarding the clarification of what the term "on division" . . . Is it signifying all opposition? My understanding was the term came from the official opposition. I just want a clarification of that term.

The Speaker: — Order, order. The hon. member, if I'm understanding him correctly, asks on a point of order whether it is correct that the motion was recorded on division. In calling for the vote, the Speaker clearly heard some opposition to the motion, and therefore it was in order for any member to call that it be recorded on division, and it was.

If members want to record by name, opposition to or support for a motion, then they have a means available to do that. But the term "on division" does not mean the it was supported unanimously by either side of the House . . .

An Hon. Member: — Well the Liberals are the ones who voted against this.

The Speaker: — Order, order.

Hon. Mr. Nilson: — Mr. Speaker, I rise today again to move second reading of The Trust and Loan Corporations Amendment Act, 1996.

The Speaker: — Order, order. Order. Now why is the member on her feet?

Order. Now I'm asking for cooperation of the members of the House. I recognized the Minister of Justice and was unable to hear his debate, and I'll ask for all members to provide cooperation so the Minister of Justice can be heard.

Hon. Mr. Nilson: — Yes, Mr. Speaker. I rise again for the third time to move the second reading of The Trust and Loan

Corporations Amendment Act, 1996.

The amendments in this Bill deal with two matters relating to the regulation of loan companies in Saskatchewan. First is the standardizing of the regulation of all Saskatchewan-based loan companies who accept money from the public. Second is preparing Saskatchewan for future developments in the financial services market-place.

The existing Act sets out the regulatory framework for loan companies doing business in Saskatchewan. Under the Act, companies are regulated as either part (ii) which accept money from the public, or part (iii) — all others.

Provisions in this new Act will standardize the regulation of Saskatchewan companies that accept money from the public. Currently part (ii) companies which lend for mortgage purposes or which have the word, mortgage, in the name are governed by special rules and regulations.

These rules and regulations are designed to monitor the solvency of Saskatchewan-based institutions. Unfortunately they do not apply to other Saskatchewan companies that accept money from the public. This Act will establish a standardized regulatory structure that applies to any Saskatchewan-based loan company accepting money from the public.

The second issue addressed by these amendments concerns the regulatory responsibilities of the Superintendent of Insurance. Presently the superintendent can be appointed by the Minister of Justice to administer a part (ii) loan company where: the company has not paid its bills; it is not complying with the Act; the interests of creditors or shareholders are at risk; and/or concerns are expressed about the asset position of the company.

Currently this authority does not extend to Saskatchewan companies that provide revolving credit. We believe that existing and future revolving credit granters such as credit card companies will be at the forefront of changes in the financial services market-place. As such, these companies should be monitored in a similar fashion as others that lend money.

Today's changes will allow the superintendent to be in a position to assess a company's affairs and act in a timely and effective manner. The changes will also result in the consistent application of rules to all companies offering these lending and credit services to the public. As I have said, the superintendent already exercises this authority with respect to part (ii) loan companies. Today's amendments will now add revolving credit companies.

To summarize, Mr. Speaker, these amendments provide for the consistent regulation of loan corporations accepting money from the public by expanding the definition of a loan corporation to include all companies engaged in lending or credit granting, and the appointment of the Superintendent of Insurance as the administrator of Saskatchewan-based loan companies which provide revolving credit in certain circumstances.

Mr. Speaker, I move second reading of An Act to amend The Trust and Loan Corporations Act.

Mr. Osika: — Mr. Speaker, I know there are many members who would be more than happy to get out of the House here quickly. And I admit that it would be nice to finish up. But at the same time though, it would be terribly unfair to the people of this province to short-change discussion on any Bill that comes before the House at this point. The fact is that legislation we pass in this House will have an effect on Saskatchewan people, so it deserves to be discussed thoughtfully. This having been said, I would like to say just a few brief words about The Trust and Loan Corporations Amendment Act.

Mr. Speaker, from my reading of this Bill, the changes will stem from the change in definition of a loan corporation. The current definition pretty much outlines loan corporations as companies which take mortgages on real estate. With the passage of Bill 118 the rules regarding loan corporations will encompass far more companies than are presently under scrutiny.

This means that a loan company which secures its loans on things like cars and trucks and stereos or vending machines or boats will now be subject to all these rules. As well, Mr. Speaker, companies which grant revolving credit as their primary business will also be subject to The Trust And Loan Corporations Act.

Mr. Speaker, I'm sure that you know as well, revolving credit describes an arrangement where the debtor can borrow money, then pay some off, then borrow some more. Credit cards are a real good example of that, and of course some of us are a little better about handling the revolving credit.

Mr. Speaker, I find it a little curious that the government wants to extend The Trust and Loan Corporations Act. I find it particularly odd that those companies that offer revolving credit are only bound to follow the rules set out in part (2) if they are incorporated in Saskatchewan and have a head office here.

Similarly the Bill says these loan corporations are only subject to sections 9 to 26 if they receive money from the public. Mr. Speaker, these sections involve a complex set of rules. I would be curious to find out from the minister what his reasons are for wording the Bill this way and how it will affect companies in this province, and how those regulations will affect companies in this province.

Mr. Speaker, we do have some detailed questions we would like to ask about this Bill. For example, why did the government find it so necessary to bring it in this late in the session? Does it have specific implications for something that is happening now or did the members opposite just decide to throw another piece of legislation on the table?

(1100)

Mr. Speaker, we have made it clear in this House that we are concerned about all legislation that comes before this Assembly. However, we have also made it clear that we want to spend the last few weeks of the session debating Bills that will have long-term, serious consequences for the people of Saskatchewan.

Therefore, Mr. Speaker, I see no point in further holding up this Bill. The questions that we have should be adequately answered in the Committee of the Whole. Thank you, Mr. Speaker.

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

COMMITTEE OF FINANCE

General Revenue Fund Legislation Vote 21

The Chair: — Will we start by having the minister introduce his official, please.

Hon. Mr. Nilson: — Yes, I'm pleased to have with me today, Darcy McGovern from the Department of Justice.

Item 8

Mr. Osika: — Thank you, Mr. Chairman, and welcome, sir. And your official, Mr. Minister, I welcome him as well; nice to see you again.

I wonder if we might just start off by having you tell us, Mr. Minister, just briefly the mandate and the vision of the Freedom of Information and Privacy Commissioner just for some clarification in broad terms.

Hon. Mr. Nilson: — Yes, I'm very pleased to answer your question. The Privacy Commissioner reviews government decisions under The Freedom of Information and Protection of Privacy Act to ensure that all applicants have access to records held or controlled by the government.

Now The Freedom of Information and Protection of Privacy Act was passed in 1991 and proclaimed April 1, 1992. The Act applies to all departments, secretariats, and similar agencies of the executive Government of Saskatchewan. The regulations extend that coverage to a broad range of Crown corporations, boards, commissions, and other bodies with government appointments.

The Act is really two Acts in one. First, the Act provides a right of access to records in the possession or control of provincial government institutions. Secondly, the Act establishes rules for how the government collects and deals with personal information. The Act applies to records in all formats; for example, written, photographed, audio-visual, computer generated, etc.

Mr. Osika: — I thank you very much for that, Mr. Minister. Who are these people accountable to?

Hon. Mr. Nilson: — The Privacy Commissioner is an independent officer who reports directly to the legislature.

Mr. Osika: — Thank you. And I note there's been rather a substantial cut-back in the total for the Freedom of Information and Privacy Commissioner. Can you just explain why that cut,

please.

Hon. Mr. Nilson: — Yes. The services of the Privacy Commissioner are provided on a contractual basis and there was a cushion involved in here that the Privacy Commissioner indicated in the budgeting process this year that the actual amount that is his salary was \$30,000, and so this is the actual amount set out without a cushion for extra expenses if in fact that should happen.

So practically, he was being paid \$30,000 with the budget having some extra money there in case there were some extraordinary circumstances.

Mr. Osika: — Thank you. Mr. Minister, do you believe that The Freedom of Information and Protection of Privacy Act is in fact allowing the applicants adequate access to our government records? Is it in fact open enough?

Hon. Mr. Nilson: — Yes.

Mr. Osika: — Thank you for that answer. Does the minister see any changes or improvements to the Act that would allow for better access perhaps to government records?

Hon. Mr. Nilson: — Like all legislation and like how our government practises, we're always willing to take suggestions as to how legislation may be improved. It's always under review if there are problems or issues that arise. At the present time it appears to be working well, but we're happy to receive any suggestions that you may have.

Mr. Osika: — Thank you, Mr. Minister. That ends my questions. Thank you, Mr. Chairman.

Item 8 agreed to.

Item 7

The Chair: — I'll start by inviting the minister to introduce his new official.

Hon. Mr. Nilson: — Yes, I'm pleased to have with me today Murray Knoll from the Ombudsman's office.

Ms. Draude: — Thank you, Mr. Deputy Speaker. And welcome to the officials, and Mr. Minister. Mr. Minister, I'm wondering if you see the mandate of this office actually changing or shifting somewhat in the next few years. The reason I'm asking this is we've been talking to the Ombudsman and I understand that there's actually some concern that maybe there should be a three-party commission that it's answerable to. I'm wondering if you could give me your thoughts on that.

Hon. Mr. Nilson: — Yes, I think this actually was discussed when we were talking about Justice estimates previously. The government is willing to look at other options here, and we've considered and looked at the report this year from the Ombudsman. And I guess that's all I really can say, is that it's an ongoing discussion. There are many things that have been working very well with the system the way we have it now, so

we have to be persuaded that it makes sense to change it dramatically; but once again we're willing to look at suggestions and see if there are some possibilities for change.

Ms. Draude: — Thank you. You talk about being persuaded. Can you give us an idea of what we can do to help in this persuasion, as opposition, as actually . . . (inaudible) . . . Is there some time . . . is there an allowance for meeting and actually putting forward the discussions and the opposition they have to the way that it's actually being handled at this time?

Hon. Mr. Nilson: — If you have any suggestions, we'd be more than happy to talk with you about that and we can just arrange a time when we're out of the session, and we'll be happy to sit down and talk about it.

Ms. Draude: — Thank you, Mr. Minister. Can you explain to me why the finances for the Children's Advocate and the Ombudsman are lumped together in estimates when they are actually two separate offices that are very much independent from one another?

Hon. Mr. Nilson: — There's a simple answer to that. They operate under the same legislation and under the same subvote in the budget.

Ms. Draude: — The budget for the Office of the Ombudsman has been cut by about \$49,000 from last year. Can you tell me why these cuts are being made and from what areas the funds will be taken from?

Hon. Mr. Nilson: — As with all departments in government, they have been asked to look at administrative efficiencies, and there are some administrative efficiencies. I think the bulk of the reduction though relates to the fact that in last year's budget they had capital costs in renovating the Saskatoon office, which are completed, and they didn't have those costs this year.

(1115)

Otherwise, the reductions are a little bit less for computer support, a little bit less for use of central vehicle authority cars, a little bit less in travel, a little bit less in staff training, and some of those kinds of things. That's so . . . so practically, it's sort of administrative efficiencies, but the biggest reason for the reduction is the fact that there's not a capital expenditure this year.

Ms. Draude: — Mr. Minister, in speaking with the Ombudsman's office, and keeping in mind that we understand that we've been asking for government cut-backs and that it's important that we keep our finances restricted, but being an independent office and a group that has to look for or take to the forefront issues from many different people, they feel . . . I understand they feel that they're insufficiently funded to actually be able to carry out their mandate and their vision.

Have you had contact from this office that leads you to believe that they would, in order to operate efficiently, they actually would require more funding so that they could make sure they are actually representing people?

Hon. Mr. Nilson: — Well I think that practically, all areas of government have had to be very careful in how they spend money, and the Ombudsman's office, I'm sure, would say yes, we could use more money and we would do more things, we could maybe do more advertising — things like that.

But with the present situation, they are doing, I think, a very good job with the amount of money that they have. They are working with everybody in government to make sure that the dollars go as far as they can, and we commend them for that. We think that they're also doing a very good job in the role that they have.

Ms. Draude: — We actually commend them as well. We understand they do do a good job, but my concern is that there are complaints from just about every department that actually can end up in the Office of the Ombudsman, and I'm sure from your own department as well.

Our concern is that maybe because of the funding, they aren't actually able to handle all of the complaints. Are you aware that there is a backlog? Is there less work that they can do because of the funding?

Hon. Mr. Nilson: — I think that it's acknowledged there's a backlog but it's stable; it's sort of the same backlog that's been there for a number of years. But practically, it's a situation where the office is doing a good job keeping up with the work with the amount of money that they have. And like all parts of government, they would appreciate having more money and more staff but that's just not possible in these times.

Ms. Draude: — Thank you, Mr. Minister. And please don't misunderstand me, I definitely believe they're doing a good job as well. But I understand that they have a lot of work and a lot of responsibility and with cut-backs, it's quite often that there isn't the time or finances in one department, it's easy to shuffle it off to another department. And I'm hoping that, as you suggested, we'll have the opportunity to chat and make sure that we all believe that they have the right amount of funding to actually be able to help the public. I appreciate that suggestion as well.

I have a question: of the \$942,000 allocated to salaries for the Ombudsman and the Children's Advocate, how much of it is allocated to the Office of the Ombudsman?

Hon. Mr. Nilson: — Yes, the salaries in the Ombudsman's office are \$672,000, and the salaries at the Children's Advocate office are \$272,000.

Ms. Draude: — Mr. Minister, I'm wondering if this office will actually be given more latitude to investigate complaints about the actual workings of government. I think that's one area of concern right now where people, they end up going to the government, you know, had they had a complaint, and yet if it's about the government . . . I know of cases where they feel that they aren't actually getting the opportunity to complain about government. That's why we were suggesting that it be funded or be looked at by all three parties.

Hon. Mr. Nilson: — I think the answer to your question is

really in the legislation where section 12 of The Ombudsman and Children's Advocate Act sets out the duty of the Ombudsman and it reads like this:

It is the duty of the Ombudsman and he (or she) has power to investigate any decision or recommendation made, including any recommendation made to a minister, or any act done or omitted, relating to a matter of administration and affecting any person or body of persons in his or its personal capacity, in or by a department or agency of the government or by any officer, employee or member thereof in the exercise of any power, duty or function conferred or imposed on him by any Act whereby any person is or may be aggrieved.

And then if you go to the definition under section 2 of agency of government, and it's quite expansive and it says that it:

... means any board, commission, association or other body of persons, whether incorporated or unincorporated, all the members of which or all the members of the board of management or board of directors of which:

(i) are appointed by an Act or by an order of the Lieutenant Governor in Council; or

(ii) if not so appointed, in the discharge of their duties are public officers or servants of the Crown, or for the proper discharge of their duties are, directly or indirectly, responsible to the Crown;

So I would think that that covers everything that you could think of.

Ms. Draude: — Mr. Minister, when your party was in opposition, they actually took the position that ... to support an all-party committee to oversee the Ombudsman as part of a larger package of democratic reform.

For the record, can you just tell me what your position on this is at this time?

Hon. Mr. Nilson: — Well I think as I stated previously, we're willing to consider any suggestions or recommendations that are made about this and willing to be involved in discussions about that.

Ms. Draude: — How far-reaching is the Ombudsman's jurisdiction with regards to investigation and recommendation on the administrative acts on the part of government?

Hon. Mr. Nilson: — I think it's set out in section 12 as I read to you. That would be ... it's very broad.

Ms. Draude: — Thank you very much, Mr. Minister, and I have no further questions on this.

Mr. Osika: — Thank you, Mr. Chairman. I just wanted to state on record that I know personally how hard the investigators from the Ombudsman's office work, and they should be commended for the job that they do under the constraints that they have.

That's I guess a little bit of a concern about numbers of people in the Ombudsman's office and again getting back to the fact that money is tight, no question about it. But there are some areas that again ... that's a department, it's a service to the public, to ensure that the public not only sees or perceives that they are being justly dealt with by government departments, but they are in fact.

And again I want to underline the fact that an office such as the Ombudsman and the calibre and quality of the people that serve in that office are essential to ensuring public confidence in that process, not just a department that gives lip-service to the public to keep them calmed down about concerns they have about not having been properly dealt with.

And I'm not sure — I'm sorry if the question was asked — what are the number of investigators that are currently employed in the Ombudsman's office?

Hon. Mr. Nilson: — In the Ombudsman's office there are five full-time investigators, and the assistant ombudsman in Saskatoon has a half case-load, so effectively five and a half people working as investigation officers.

Mr. Osika: — Thank you. Is this a number that's been static over the years or has it increased, decreased, and how does it compare now to what it was five years ago?

Hon. Mr. Nilson: — It's been stable. It's been exactly the same number for the last four years.

Mr. Osika: — Thank you, Mr. Minister. I guess my next question, are there an adequate enough number of qualified investigators in that office to respond to the complaints from throughout the province that may come to the office's attention?

Hon. Mr. Nilson: — I think my answer is the same as the question that I answered previously, which is that all parts of government would like to have more people and more money if they could.

I guess what I would say here is that the job is being done well, and I associate myself with all of your previous remarks about the investigating officers.

If we were in a situation where we had more money available in government, then I think this would be an area that we would seriously look at adding some more dollars. But at the present time they're doing I think a very good job, and the backlog of cases or sort of the standing number of cases that are to be dealt with has not increased dramatically. It's been fairly stable over the last number of years. And I think things are working well.

Mr. Osika: — Thank you, Mr. Speaker. A question — if a member of the public today came with a legitimate complaint to the Ombudsman's office, what time frame would it take? What backlog? What would they be told — I'm sorry, we'll get to you in a week, ten days, two weeks?

Hon. Mr. Nilson: — I think it would depend on the nature of the case, but if it was an urgent matter, it would be dealt with

right away. If it was sort of a standard one, it might take two to three months before the matter was started.

Mr. Osika: — Thank you. I guess then it would have to be a determination of what is an urgent case and what is one that could be put off — a matter of priorities. And I see you nodding your head and I guess we are in agreement of that. And I should know that as well. Are the . . . and again forgive me if the question that I'm going to ask was clarified earlier. Are all the investigators here in Regina and how are they dispersed throughout the province?

Hon. Mr. Nilson: — There are three investigators in Regina and two investigators in Saskatoon as well as the assistant ombudsman in Saskatoon who has a half case-load.

Mr. Osika: — Thank you. And do these investigators, are they separate and apart then from the Children's Advocate?

Hon. Mr. Nilson: — Yes.

Mr. Osika: — And again, did we talk about earlier, the number that look after the Children's Advocate office. Oh, that will be in the next series of questions. That's a separate department, I'm sorry. We'll wait, unless you want to answer that now.

Hon. Mr. Nilson: — Yes, this matter of the Children's Advocate is dealt with at the same time. The present situation — there's the Children's Advocate, the senior position, and then there are two Children's Advocate investigators and a secretary, and there's a fifth position that is not yet filled but which will be filled.

Mr. Osika: — Another question that I have, Mr. Minister, and before I defer to my colleague from Kelvington-Wadena, is the qualifications, if I may ask . . . when you advertise for someone as an investigator, what are the job employment requirements, please?

Hon. Mr. Nilson: — Usually it requires a university degree and then related experience. Often police background is helpful because of the investigative skills. I think also looking at people who have some understanding of how government works would be a very good related experience.

Ms. Draude: — Thank you very much, Mr. Deputy Chair. And firstly, I apologize — I didn't realize I should be asking questions on the Children's Advocate at the same time so that's why I'm standing up again. And then the next thing, before I go into questions, is I have to wish the Deputy Chair a happy birthday.

Mr. Minister, there's been several concerns raised by both the Ombudsman and the Children's Advocate with respect to autonomy from government. Can you tell me how this government intends to address the concerns within the Children's Advocate?

Hon. Mr. Nilson: — I think the Children's Advocate is an independent officer appointed by the legislature, and so that's the independence, is that she reports directly to this body here.

Ms. Draude: — So there's just the one person and this person is appointed? Is that what you said?

Hon. Mr. Nilson: — That's correct. Appointed by the Legislative Assembly.

(1130)

Ms. Draude: — The appointment is on a one-year contract, or one year or five years? Can you explain the appointment process?

Hon. Mr. Nilson: — It's a five-year contract.

Ms. Draude: — From our short experience in our duties here as MLAs (Member of the Legislative Assembly), most of us have had a number of times that we've had to call and talk to the Children's Advocate, and I understand their office too is very busy. Is there a backlog there? Is it increasing — the number of cases that they're to deal with?

Hon. Mr. Nilson: — They are just in development stage. Like I say, they've only hired four out of the five people that they plan to have, and so they're very busy. But it's hard to . . . I mean I don't know if there's a backlog because they're still putting their office together.

I'd also, just on your previous question, I'd like to clarify the appointment. And it's set out in section 12, it's in Part III, about the Children's Advocate. And it basically says that there should be appointed as an officer of the legislature a Children's Advocate. And this Children's Advocate is appointed by the Lieutenant Governor in Council on the recommendation of the Assembly. So the Assembly recommends but the actual appointment is by Lieutenant Governor in Council.

Ms. Draude: — Mr. Minister, I would understand, from the very name of being a Children's Advocate, there could be additional concerns in the areas . . . actual geographic locations where the largest number of children are, and that is in the North. I'm wondering, first of all, if a lot of the native population . . . if there is an increasing number of cases from the North and if there's been any thought to an officer being in the North.

Hon. Mr. Nilson: — The office is located in Saskatoon, partially for that reason.

Ms. Draude: — Mr. Minister, the Children's Advocate has received a cut in funding of about \$8,000. Could you explain to me where these cuts will be coming from?

Hon. Mr. Nilson: — There's actually an increase of \$22,000 to the Children's Advocate's budget, but it's offset by a \$30,000 decrease because part of the rent component was put into the Ombudsman's office because I think there's some sharing of some space. And so there's \$30,000 less in rent, but the actual salary amount has gone up slightly. And part of it has to do with when they hired the people, they've had to reclassify the salaries to pay a little bit higher because of the excellent qualifications of the people.

Ms. Draude: — Can you give me an idea of how much of the \$342,000 budget actually goes to rental and administration, and how much is actually spent on actual programming and education?

Hon. Mr. Nilson: — As I stated previously, the salary component out of the 342,000 is 272,000. And so then the remaining money relates to administration. And the way it is set up now, the Ombudsman's office pays all of the rent for them because they're sharing space. And so the other expenses are primarily things like postage and telephones and computer support.

And so as far as having a specific budget for education, I'm not sure that there is a specific one, if that's what your question was.

Ms. Draude: — Mr. Minister, are all the cases that are referred to the Children's Advocate referred by Social Services, or can individuals or parents come separately to the department?

Hon. Mr. Nilson: — I think all of the cases come from the public.

Ms. Draude: — So how are the public aware of the Children's Advocate?

Hon. Mr. Nilson: — There's a number of ways that the Children's Advocate is . . . sort of the information about her role in Saskatchewan is spread. I know from personal experience that she has spoken to many, many groups and indicated that she's there. Also just the discussion around the time that the office was created, that's also been of assistance.

I know that throughout the network of Social Services but also all of the non-government organizations that are involved in this field, they know that they have another opportunity or another tool to use when there are problems that need to be resolved relating to children.

And so I think there's fairly common knowledge through the people who are concerned about children in Saskatchewan that this office exists. And as the role continues and as more reports are filed and as people understand that this is a valuable part of our Saskatchewan society, I think that it'll be even more widely known.

Ms. Draude: — Thank you again, Mr. Minister. I know that when a child's advocate has spoken to groups, I would imagine and most naturally would be in the larger centres . . . (inaudible interjection) . . . You're indicating that maybe that's not true. I know a case in my constituency that people weren't aware of the Children's Advocate — they didn't get the information or the help they needed through Social Services.

And I guess it is one of my duties to explain that there is a child's advocate, but I'm not sure that a lot of people, especially in rural Saskatchewan . . . and again I'm going to bring this up for my colleague from the North. I'm sure that if a small town in Kelvington-Wadena constituency isn't aware of it, I would think that there'd be even less chance that somebody in

Ile-a-la-Crosse would be aware of it.

I'm wondering if there's some way that the department is considering making sure that through the schools or through some system that children would be made aware or parents would be made aware of this office.

Hon. Mr. Nilson: — I think that the Children's Advocate would agree with you 100 per cent because one of her personal goals and one of the goals of the office is to increase the awareness in the province, and probably just by having this debate and discussion right now we are adding more information about the Children's Advocate to the people in Saskatchewan.

I think some of your suggestions about going and making sure that schools know that the office exists and some of these things, those are important. And I'm sure that she would be quite interested in talking with you and members of your caucus about how you might assist and how the government might assist in spreading information.

I know that she has spoken in La Ronge; I'm not sure if she's been at Ile-a-la-Crosse. There actually is in her report a list of all the, sort of the formal occasions where she has spoken about her role and you can see that — I think it's appendix 1 or 2 — in her report.

But it's a new, innovative position that we have here in Saskatchewan, and I think we all need to support her and make sure that the job that she and her staff are doing is well known.

Ms. Draude: — Thank you, Mr. Minister. We all recognize the importance of this office and that's why we're asking this many questions. We want to make sure that people are aware of it.

I'm wondering if your department has a vision for it into the future that actually sees an expansion of activities or empowerments of this department. Could you tell me what you see the Children's Advocate . . . by the end of this term?

Hon. Mr. Nilson: — As this is a new office, we're continually assessing what things they should do. It's set out what their mandate is in the legislation, and also I think the Children's Advocate has some very clear goals about the kinds of things that she and her staff would like to do. And practically, I'm not sure we can see for sure which direction it's going, other than there are many issues about children in Saskatchewan that are important to address and we can't rely just on the Children's Advocate to address all those issues.

And I'm not sure if you noted, but in the reports out of the western premiers' conference in Dawson City which was just held earlier this week, one of the issues that was discussed by all four western — well all six western — governments was the issue of child poverty and how this is actually a national agenda item which should be discussed by all of the premiers.

I think what we can't do is say that the Children's Advocate, with four people there, or five when they're up to full speed, is going to deal with all the children's problems. We all have to be part of that, whether it's the justice system, Education, Social Services, Health — the whole of government.

Mr. Osika: — Thank you, Mr. Deputy Chair. Getting back to again, Mr. Minister, because I do again appreciate what the investigators or the inquirers have to carry out and some of the pitfalls perhaps . . . I guess, would it be fair if I asked you if you could relate the terms of reference for an investigator, their rights, responsibilities, and all their powers, if you wish.

Hon. Mr. Nilson: — I think that, speaking on behalf of the child advocate, I know she's very keen and concerned to preserve the term "child" or Children's Advocate for her staff, as opposed to investigator, and leave the investigator over in the Ombudsman's office. But these are children's advocates. Their role is to speak up for children.

But with that introduction, the mandate for the advocates is basically delegated from the Children's Advocate, the person. And the role is set out in section 12.6, subsection 2. And it states:

The Children's Advocate shall:

. . . become involved in public education respecting the interests and well-being of children;

The Children's Advocate shall:

. . . receive, review and investigate any matter that comes to his or her attention from any source, including a child, concerning:

. . . a child who receives services from any department or agency of the government;

. . . a group of children who receive services from any department or agency of the government; and

. . . services to a child or to a group of children by any department or agency of the government;

And the Children's Advocate shall:

. . . where appropriate, try to resolve those matters mentioned in clause (b) (which I've just read) that come to his or her attention through the use of negotiation, conciliation, mediation or other non-adversarial approaches; and

The Children's Advocate shall:

. . . where appropriate, make recommendations on any of those matters mentioned in clause (b).

Mr. Osika: — Thank you, Mr. Minister. I just wanted to clarify — and I apologize — I was relating not only to the child advocate; I was also relating to the Ombudsman's investigators. My concern was that in fact they had sufficient authority when they are making inquiries through a department — and I'm not questioning that they do, but I just want to make a comment and then I'll defer to my colleague to continue — that they do in fact have this sort of open door and the ability to go in and get all the facts and details from government agencies.

Hon. Mr. Nilson: — I'm not aware of any problems in that area at all. I think that they have the ability to get the information that they need when they require it.

(1145)

Ms. Draude: — Thank you again, Mr. Deputy Chair. I just have one more question.

Were there any complaints about the Children's Advocate received by this Assembly last year?

Hon. Mr. Nilson: — Not that we're aware of.

Ms. Draude: — Thank you again, Mr. Minister. Thank you for your staff and keep up the good work in the departments.

Item 7 agreed to.

Item 9

Ms. Draude: — Thank you again. I just have a few short questions for the minister. Could you just tell me, in an abbreviated form, what the actual mandate and vision of the conflict of interest officer is.

Hon. Mr. Nilson: — Yes, the Conflict of Interest Commissioner coordinates disclosure of assets held by members of the legislature, provides advice on conflict of interest issues, and provides an opinion on compliance under The Conflict of Interests Act if requested by a member of the legislature or by the president of Executive Council. The commissioner also conducts inquiries requested by the Legislative Assembly.

Ms. Draude: — Could you give me an idea of how many inquiries the officer would actually delve into in a year; just an average?

The Chair: — Order. While we're waiting for the minister's response, I want to advise committee members that for the second time this day your esteemed Chair made an error. It's hard to believe, I know. I announced the amount to be voted as \$6.253 million as opposed to total for Conflict of Interest Commissioner, \$81,000. So it's that line item, \$81,000, that is before the committee.

I thank all committee members for their benevolence in allowing me to correct that error. We'll wait for the minister's response.

Hon. Mr. Nilson: — The main job of the Conflict Commissioner is to meet with members of the legislature and with their spouses to prepare the conflicts information for filing with the legislature. There are some inquiries, but we don't have the report from the Conflict of Interest Commission tabled in the legislature at this time and so it's not really possible to answer that question.

Ms. Draude: — Mr. Deputy Chair, can I have leave to

introduce guests?

Leave granted.

INTRODUCTION OF GUESTS

Ms. Draude: — Thank you, Mr. Deputy Chair. It's a great honour for me to introduce a group from St. Brieux today. There's 21 students and 5 parents and 1 teacher, I understand, in from St. Brieux. There's actually three of us in our constituency. St. Brieux is a unique little town, not only the town itself with the thriving industry there, but because it borders not only the Humboldt constituency but also Kelvington-Wadena and also the Melfort-Tisdale area. And we all like to sort of take pride in the fact that you are sort of part of all of our constituencies. So I'd like to welcome you all today.

There's Jackie Laczko, Jackie Mark, Sharri Laczko, Roger Lefebvre, and Debbie Coquet here today as well as the students, the 21 students, and I'm hoping that you will be interested in the debate we have going at this moment. And I think you'll understand that this is an important part of the work of the Assembly, to make sure that each one of the departments is looked at individually. So enjoy your time here.

Hon. Members: Hear, hear!

COMMITTEE OF FINANCE

General Revenue Fund Legislation Vote 21

Item 9

Ms. Draude: — Thank you again, Mr. Deputy Chair. Mr. Minister, could you tell us who the Conflict of Interest Commissioner is accountable to?

Hon. Mr. Nilson: — Yes, Mr. Derril McLeod, who is the Conflict Commissioner, is accountable to the legislature, to the Legislative Assembly.

Ms. Draude: — The expense for salaries decreased by about . . . from \$75,000 in '95-96 to \$50,000 in '96-97. Could you explain this, please?

Hon. Mr. Nilson: — Yes, I'd be happy to do that. There's been no change at all in the operations of the office. The difference in salaries and operating is a result of classifying contractual services differently in the two years. Last year the contract that the commissioner had for office services was classified as a personal services contract, and therefore it was included as salaries. In '96-97 this contract has been classified as contractual services, and therefore it's operating expenses.

Ms. Draude: — So that may be part of the reason why the operating expenses actually increased from \$6,000 in '95-96 to \$31,000 in '96-97.

Hon. Mr. Nilson: — That's correct. If you'll notice, the total

cost of the office was \$81,000 both years — no change.

Ms. Draude: — Do you as minister believe that The Conflict of Interests Act is actually fulfilling its purpose?

Hon. Mr. Nilson: — I would have to say yes, that it is fulfilling the job that it should. But as with all things that are ongoing, we're willing to listen to any suggestions that may be available from your caucus about this, and we would be happy to listen to any suggestions. But we think that it's actually accomplishing the purpose. It's only, I think, the second year of operation now, so there's still some things to be learned. But I think it's doing a good job.

Ms. Draude: — My last question, Mr. Minister, is, because it's fairly new, are you looking at any changes or any improvements yourself, as the government side of the House, in changes to the mandate or the workings of this department?

Hon. Mr. Nilson: — In general, we're quite pleased with the way the legislation is working, but we are looking forward to Mr. McLeod's report because there may be some suggestions that he has about ways to improve it, and we'd be very willing to look at that.

Ms. Draude: — Thank you again, Mr. Minister, and thank you to your officials. We have no further questions.

Item 9 agreed to.

The Chair: — I thank the minister and his officials and the opposition for their questions and invite the minister to move that we report progress and ask for leave to sit again. The committee reported progress.

COMMITTEE OF THE WHOLE

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

Hon. Mr. Calvert: — With leave, Mr. Chair, to introduce some guests.

Leave granted.

(1200)

INTRODUCTION OF GUESTS

Hon. Mr. Calvert: — Thank you very much, Mr. Chairman. Mr. Chairman, I'm very pleased to be introducing to the members in the House this morning a group of students who would represent my favourite grade 5 class in all of Moose Jaw. In fact it's my favourite grade 5 class in all of Saskatchewan. This would be the grade 5 class from Empire School in Moose Jaw.

And among them is my favourite grade 5 student in all the world, that being our daughter Stephanie. I would like all members to welcome the grade 5 class from Empire. They're accompanied today by their teacher, Nancy Findlay. Please welcome these students and I look forward to meeting with you a little later.

Hon. Members: Hear, hear!

COMMITTEE OF THE WHOLE

Bill No. 39 — An Act to Promote, Develop and Sustain Irrigation

Clause 1

Mr. McLane: — Thank you, Mr. Speaker. Welcome to the minister and his officials. I didn't know whether the minister wanted an opportunity to introduce them or not, but I guess he can do that at some time.

First question, Mr. Minister, would be, and I believe I have asked this one before, is what brought about the changes that led you to believe that you need to make some changes within the irrigation community and consequently resulting in the introduction of Bill No. 39?

The Chair: — Before the minister answers, I would ask him to make part of his answer as introduction of his officials, please.

Hon. Mr. Lautermilch: — I was intending to do that, Mr. Chair. I have, to my right, Harvey Fjeld, who is the vice-president of irrigation and agricultural services with Sask Water. And to my left is Micheal McDougall, general counsel for Sask Water.

Mr. Chair, and to the member opposite, I guess to summarize the reason that we're bringing this Act before the House is that we're working towards what we believe to be a responsible way of delivering irrigation systems. The principle that we're working on is that it be a user-pay system. And it is basically amalgamating and doing away with three individual pieces of legislation — The Water Users Act, the South Saskatchewan River Act, and The Irrigation Districts Act.

And what we are attempting to do is to provide uniform legislation so that all irrigators in the province are working under the same piece of legislation. It will attempt, I think, to simplify the administration of irrigation projects and allow research projects to be funded, directed, and controlled by irrigators. I think the other part that we would see is these changes facilitating economic development opportunities with irrigation projects.

So that really is basically what this Act is about. It covers 332 acres of land that are under irrigation. And I would want to say that the province of Saskatchewan has a major investment in irrigation projects. We've spent more than \$160 million in irrigation since 1986, which is a fairly substantial commitment. We feel it's time that we moved to now a user-pay system where irrigators who benefit from the results of irrigation will be financing and funding these projects on their own.

Mr. McLane: — Thank you, Mr. Minister. You talked, mentioned in your comments, about how much money's been spent on irrigation since 1986. Can you tell me how much has been spent in that area since 1991?

Hon. Mr. Lautermilch: — I can't give you, right now, the exact figures.

I should correct my remarks. I think I said — I should correct my remarks — I think I said 160 million since 1986 and I should have said, since 1966. The amount that the province has invested in irrigation since 1991 is in the neighbourhood of \$500,000.

Mr. McLane: — Thank you. I've had a fair bit of discussion with a lot of irrigators, in particular on the west side of my constituency, and the reoccurring comments that I hear again, as mentioned before to you, are with the regulations of the Bill.

Since our last discussion, has there been some work done in regards to regulations? And if there has, is there a set of them that we can see or that you'd be prepared to table?

Hon. Mr. Lautermilch: — No, but I can inform the member that we will be putting together a group to work on the regulations. We will be putting six people on from SIPA (Saskatchewan Irrigation Projects Association) and two from private irrigators, and they will be working with us to develop the regulations that will come over a period of months following the passage of this Bill.

It's our intention to work with irrigators. I think that without the involvement of those who are directly involved in irrigation as we develop the regulations which will govern guidelines by which they operate . . . without their involvement I think we could run into some degree of difficulty. So it's our intention to work very closely with irrigators, private and through SIPA, to ensure that we have appropriate regulations that govern the irrigation projects in the province.

Mr. McLane: — Thank you, Mr. Minister. I guess you are well aware, as is the rest of your cabinet, how I feel on regulations as it pertains to legislation. I guess I could go through my spiel today but I think I'll leave that for another day and not put your officials through that one.

However, I certainly agree with the discussions that are needed with industry and the users as you develop the regulations. However, I do believe that those should be done before we're having to deal with the legislation.

Just a comment on the new corporations that are being formed — I'd just like to get a couple of comments from you if I could, Mr. Minister — if you would agree that they will be a form of a Crown corporation.

Hon. Mr. Lautermilch: — No, I can't agree with that. The legislation specifically disallows them from . . . says that they are not going to be Crown corporations.

Mr. McLane: — Just further on that note then, in the creation of these . . . with this new legislation, the creation of these new corporations, would it be fair to say that will involve some increased bureaucracy?

Hon. Mr. Lautermilch: — No, what it is is — and I guess with

respect to whether or not these are Crowns, that is addressed in section 41 of the Act — what this is is a way of giving producers . . . getting stakeholders a way to involve themselves in these initiatives and that's what we're attempting to do with that part of the Bill.

Mr. McLane: — Thank you. As I said earlier, I've had a fair bit of discussion with a lot of the irrigation groups and individual irrigators, and at this point in time I'll go through some of their concerns and maybe you can address them in this forum that I can relate back to them.

One of the concerns that have come up from a couple of the districts is the issue with the levies being tied to the land as opposed to the owner. It appears some of the folks seem to think that if the levies are not tied to the land, there could be a problem of course in a number of areas with the districts. I guess one being with not being able to plan ahead, knowing that the land will be involved if there is, I guess, some default, that it would be hard for them to collect the fees from the person that has gone — the owner that has gone. So would you comment on that, please?

Hon. Mr. Lautermilch: — I'm told by my officials that a collection of arrears is tied to the land but that the levies will be put together by the local bodies. But the arrears are tied to the land. Okay?

Mr. McLane: — So just to clarify, Mr. Minister, then in my mind. I don't much, or quite understand that, if there's . . . Is that the way it is now?

Hon. Mr. Lautermilch: — What this new Act does is it allows for collection of arrears to be tied to the land. But in terms of the agreement, that is with the individual farmer. So that's what this will do. So arrears will be dealt with; that's part of the land. But the agreement itself is with the producer.

Mr. McLane: — Thank you, Mr. Minister. One of the other concerns that have been raised as well was with the — just bear with me, Mr. Minister, till I find this — is with the replacement fund. And I think I'll just read from the letter that I was sent in by one of the water user groups, if I might, and I'll get you to comment at the end of it. And I quote from the letter:

The board understands the objective of the irrigation replacement fund which is to provide for long-term funding for replacement of irrigation works and to ensure utilization of the original Crown investment in irrigation.

Is that a correct statement?

Hon. Mr. Lautermilch: — I guess the short answer to that would be yes. What we are attempting to do is put in place long-term, sustainable funding to maintain and run and operate these projects.

Mr. McLane: — Thank you. It goes on to say:

Our concern is that a 5-year Agreement with our Association in which the replacement costs increase

rapidly does not allow us the time needed for economic development and the growth which in turn enables our irrigation project to expand . . .

The question on this one would be, are you still planning with a five-year agreement? Is that the plan?

(1215)

Hon. Mr. Lautermilch: — I would say to the member that we have two agreements that now have been signed, both with Riverhurst and with Lucky Lake. And I'm also told by the officials that it is going to be phased in — that it starts small and grows over a period of years so as not to put immediate pressure on the areas.

So I think the fact that we have been able to reach agreements, two that I've mentioned, would indicate that it will provide a workable solution for the long term.

Mr. McLane: — So are you saying that the plan that's been already signed then is a five-year agreement for the phase-in of that?

Hon. Mr. Lautermilch: — Yes, both Riverhurst and Lucky Lake have signed.

Mr. McLane: — Thank you, Mr. Minister. Another concern was that . . . and I guess it relates back to whether it's the landowner or the land itself that's in the agreement, as it relates to a flood irrigation district or an area where it would be possible for one of the members of a particular irrigation district to actually hold up a watering of the district because of a certain crop that is grown within the flood. How will this be addressed under these new corporations?

Hon. Mr. Lautermilch: — I guess in areas where there is an agreement, that would create no difficulties. This might arise in an area where there right now is no agreement. And I am told by the officials it would be a process of negotiating an agreement, negotiating a settlement, in areas where there is no agreement existing now.

Mr. McLane: — Thank you. What would happen if they can't come to an agreement?

Hon. Mr. Lautermilch: — Yes, I'm told that the associations would basically only have two options. One would be to allow for free service if they can't reach an agreement, or the other one would be to have expropriation, to request expropriation.

But I think it would be fair to say that there has been in the past, and my understanding is, a good deal of cooperation, farmers working with farmers in these areas. And it would certainly be, I guess, a last resort; no one would want to see that kind of an approach taken unless all other examples had been pursued.

And I think it's fair to say that the process of negotiations has shown in the past that it can work and that it will work.

Mr. McLane: — Thank you, Mr. Minister. Some of the people that have been involved . . . or I should say have not been

involved in irrigation for a number of years are still paying taxes and levy toward that. How is that problem being addressed?

Hon. Mr. Lautermilch: — I'm just wondering if I could ask the member to rephrase his question because I think the officials and myself are not really clear in terms of what you were asking me. If you could just repeat the question for us.

Mr. McLane: — Thank you. It's in regards to people that are in a district that aren't irrigating any longer, and they're still being levied taxes. Some of the farmers are concerned that they're still having to pay the tax. How is that issue being addressed?

Hon. Mr. Lautermilch: — It's a graduated scale, and it goes from year one to year five. And in year five or more the fee would be zero; year four would be 5 per cent; 10 per cent for three years; 15 per cent for two years; and 20 per cent for one year. It decreases over a period of years and after five years the charge would be zero.

Mr. McLane: — Thank you. I understand that part of it. The concern is, is — that some of the farmers have — is that they're not happy with that. They don't see why they should be paying that levy for the continuation or a portion of it for the next five years. How is that being addressed, or is there any . . . what discussions have taken place?

Hon. Mr. Lautermilch: — I think it's been a matter of discussions and negotiations. If they have not irrigated since 1991, under this Act they pay nothing.

Mr. McLane: — I'm sorry, Mr. Minister, I had another discussion going with the Premier. I wonder if you could state that again.

Hon. Mr. Lautermilch: — Well I'm going to try and give you the same answer that I gave a couple of minutes ago. And hopefully you and the Premier will discontinue your dialogue for just a short period of time here.

I am told that if they haven't been irrigating since 1991, they will pay nothing under this Act and under what's proposed here.

Mr. McLane: — Thanks. In the Act it talks about abandoning irrigation works, water control works, and water supply works. Can you give me an example of what that would entail.

Hon. Mr. Lautermilch: — The system is and the process is if a canal is abandoned it would be replaced with pipe. In terms of a district, if that were to disappear, what we would do is reallocate the water to another jurisdiction.

Mr. McLane: — Thank you, Mr. Minister. It also talks in the Act about the Water Corp entering into agreements with other provinces or federal government. What discussions have taken place to date with that, and can you give us an example of what might . . . what kind of an agreement might take place?

Hon. Mr. Lautermilch: — I guess the one example that I could give in terms of a situation that is already in place is the Saskatchewan Irrigation Development Centre, in that we have formed a partnership arrangement, a cooperative arrangement, with the federal government. That would be the kind of initiative that would be covered under that portion of the Act.

Mr. McLane: — Also in clause 3, sub-clause (3) of 3, it talks about the, again, the Lieutenant Governor in Council providing financial assistance up to the amount of \$100,000. That seems . . . I guess what I'm asking is why they . . . why you would have that leeway here and why it wouldn't possibly take an order in council to do that?

Hon. Mr. Lautermilch: — Yes, it's part of The Water Corporation Act, and I think the level of \$100,000 is set, in that orders in council are . . . And we will discuss this, I believe, later today in terms of limits with SaskPower. What we're trying to do is to speed up the process of doing business. I don't think \$100,000 is an unreasonable figure to be dealt with without having an order in council, without having to bring it to cabinet's attention.

Sask Water is governed by a board of directors on which two cabinet ministers sit. We have people from around the province who represent different interests with respect to irrigation and so they will also scrutinize the expenditures, you know, of this nature.

So I think the \$100,000 is a reasonable limit at this time.

Mr. McLane: — Also in the Act it speaks of an irrigation development area, which I understand of course replaces the old language. I don't recall seeing that definition being defined in the Act. Could you explain to me what you're proposing with the development areas and why it wouldn't be defined?

Hon. Mr. Lautermilch: — Well what we would be doing — and it's just a little further on in the Act — the corporation will publish a notice, will gazette a notice with respect to each area, and in that, it will have its name and its number, its geographic area, the boundaries under which it will be operating, and its native establishment. So it will be made public through the *Saskatchewan Gazette*.

Mr. McLane: — Has the corporation, I guess, estimated as to the number of those development areas that they would foresee in the province?

Hon. Mr. Lautermilch: — What we're doing is reinforcing our existing system in which there are five districts, five existing districts.

Mr. McLane: — Thank you, Mr. Minister. You also talk in the Act about, in clause 5, I guess it is, that the applicant must apply to Sask Water in any manner that the corporation considers appropriate. And what does that mean? What does appropriate mean?

Hon. Mr. Lautermilch: — I think what we're trying to do is give the corporation leeway in terms of trying to, attempting to, minimize the amount of red tape. If we have say four or five

farmers coming together with an application, I don't suppose that it would require the kind of process that if a larger project were to come.

So what it does is gives the corporation I think the responsibility to put in place a reasonable process whereby these applications can be received. Clearly the smaller ones would require less than say a larger project, and that's what this allows for.

Mr. McLane: — I guess in the Bill as well it talks about concrete factors. And I wonder what . . . could you give us some idea what Sask Water would consider concrete factors in deciding whether or not a proposed district is in the best interests of the applicants and landowners in the proposed irrigation district. Where will those be laid out? Is that another part of the regulations?

Hon. Mr. Lautermilch: — Yes, I think it would be a matter of what the local mood would be and what the quality of water is and what the quality of the land is. Those would sort of be the factors.

Mr. McLane: — Thank you, Mr. Minister. One of the other comments that I had received from an irrigation district was with terms to auditing. And the concern was, for the district, the costs that might be entailed with auditing of those groups, irrigation groups. Would you comment on that one?

Hon. Mr. Lautermilch: — Under the old system, some of these would be dealt with by the Provincial Auditor. I think what we are doing with this legislation now is we're allowing for local accountants to do the audits for them, to do them on a local basis. And I am told that an audit to deal with an entity of these natures would be somewhere in the neighbourhood of \$300 a year.

(1230)

Mr. McLane: — Thank you. Will an irrigation district be able to, I guess, incur a deficit?

Hon. Mr. Lautermilch: — Yes, they can incur a debt of up to 80 per cent of one year's levy, and that can be financed locally. So I guess if they were looking at a project, the amount of financing would have to be, you know, 80 per cent of whatever they can generate in revenue in one year.

Clause 1 agreed to.

Clauses 2 to 78 inclusive agreed to.

Clause 79

Mr. McLane: — Thank you, Mr. Speaker. We're moving fairly quickly there and I just felt that you needed a bit of a breather, and I didn't want to disappoint the minister in commenting on this section of the Act. I'll be quite brief.

Of course this Assembly knows my opinion on the regulations and the tabling of such, and I just have a hard time understanding why a government that professes to be so open

and accountable would have a problem bringing forward the regulations and tabling in this House for us to have a look at.

The changes that are made here in this legislation have been talked about for some time, and of course the government would have had the last five years in order to go out and listen to the irrigators and the waterers and the users as to what they've got to say and what they'd like to see in this Bill.

So I'm just not sure that why we have to go through this process with every piece of legislation, that the regulations are always tabled at a later date, and we don't have a chance to look at them.

Hon. Mr. Lautermilch: — Well I appreciate the member's comments, and you know I think it's been historical in this legislature that legislation is taken out to the general public. And this has been a piece of legislation that's been discussed with users, with irrigators, for many, many months to get their input as to what kind of changes they would like to see. After passing the Act, I think it's only fair that users, people in the general public, have the opportunity to look at the Act and work with us in developing the regulations. And I think that that process is not unusual. It's been one that's carried on in Saskatchewan for decades.

And I can give the member the assurance that we will make the development of these regulations a very public process because we intend to do very widespread consultation with users because these are the regulations under which they will operate. We want them to be user-friendly, and we want them to be what industry will want to work within.

Mr. McLane: — Mr. Speaker, just to the minister opposite. He talks about this being historical, and that's fine. I often hear the Premier talk about the Saskatchewan way and doing things different in the province and wanting to make change. And I think it's high time, as do most of the people of the province, that we do things different with the government, and the government themselves is more open and accountable and accessible. And I think this is one way that they could prove to the taxpayers of Saskatchewan that indeed they are interested in being open and accountable.

Clause 79 agreed to.

Clauses 80 to 82 inclusive agreed to.

The committee agreed to report the Bill.

Bill No. 87 — An Act to amend The Power Corporation Act (No. 2)

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

Hon. Mr. Lautermilch: — Thank you, Mr. Chair. I would like to introduce my officials to you and to members opposite. I have with me, to my right, Larry Kram, who is general counsel for SaskPower. To my left, Tony Harras, vice-president of systems operations and decision support. And to my far right is Terry Meier, manager of materials and engineering in

transmission and distribution.

Clause 1

Ms. Draude: — Thank you, Mr. Chairman. Mr. Minister, I have a number of questions to ask you regarding this Act, and I just want to firstly make a statement and tell you what our viewpoint on the Act is. We feel this Bill, although it's quite short in length, it will make a significant difference in terms of what it will do to public accountability.

During second reading of this Act we stated our views on this one, like other Bills before this House, that there was no point in passing this Bill unless there were some changes with respect to how Crown corporations are held accountable.

The Government House Leader stated that a well-informed opposition is the best check on abuse in Crown corporations. And we believe in this Bill we see the government providing more freedom and more power to SaskPower to conduct their affairs. At the same time, however, there appears to be no improvement in the power or tools provided to the opposition under this Bill to hold the government accountable for its management.

I would like the minister to explain to us how he can justify giving SaskPower more powers but not providing the opposition and the public with more tools to ensure that it is accountable.

Hon. Mr. Lautermilch: — Well I want to say firstly to the member that this amendment would put SaskPower on the same footing as the other Crown corporations — SaskTel, SGI (Saskatchewan Government Insurance), SaskEnergy. So it's basically just bringing up to date an Act that was put in place in 1950.

The changing environment that SaskPower finds itself operating in means that they have to make some decisions on a more timely basis. They have to be making decisions quicker. And the process, as it now exists, requires a number of steps for an order in council to be passed.

It would first come to the board of directors of the Power Corporation on which three cabinet ministers sit at this point in time, along with a number of people from around Saskatchewan. From there it would go to the Crown Investments Corporation board which is a group of cabinet ministers. It's chaired by one minister, and there are about five other cabinet ministers on that.

(1245)

From there it would come to cabinet, and then cabinet would have the opportunity to look at it. And then an order in council would be signed which would make the expenditure . . . and the process by which the expenditure would be made would then have been completed.

Right now the corporation is somewhat bound by that process because it does take some time in order to get it through the board, then to CIC (Crown Investments Corporation of

Saskatchewan), then to cabinet, and then finally passed. And some of the decisions that are required by the corporation to be made do not allow for that kind of time frame to expire before a decision is made.

They're dealing with other entities, with other utilities, with respect to swapping of electricity, just as an example, or sales of electricity. And when the value is in excess of what the requirements are, it has to go through this process. So sometimes they find themselves in a position where they can't do business because of the time it takes to get the decision made.

I want to say in terms of the members of the opposition and the accountability process, as you will know, Crown Corporations Committee, which is a committee of this Assembly, sits on a regulation basis. The Crown corporations all are asked to appear before them to answer to questions with respect to expenditures, the direction of the corporation, management, why management decisions were made. Some very detailed cross-examinations happen with the officials who appear before Crown Corporations Committee.

But I would want to say that I think ministers who represent cabinet, who represent the government and sit on this board, people from a cross-section of Saskatchewan, the general public who are represented on the board, do do due diligence in terms of the expenditures of the corporation. I think the people of Saskatchewan can rest well assured that the process that their government uses allows for adequate scrutiny and adequate openness so that we can be assured that these corporations are acting in the best interests of the shareholders, who are the people of Saskatchewan.

Ms. Draude: — Thank you, Mr. Minister. Just a couple of comments on that. First of all, bringing this Bill into line with some of the Crown corporations, in our mind, is two wrongs don't make a right. I guess we don't believe that that was actually what we're asking for. And truly the opposition doesn't get an opportunity as this side of the House to discuss some of the changes or the some of the things you're dealing with.

Over the years, the Crowns have changed significantly, and the government has moved from administering Crowns like SaskPower that were basically utility or resource companies. That's significantly changed as Crowns now tend to be involved in a much wider variety of activities. They're involved in activities that tend to bring them more into competition with other firms in this province. And they also tend to be involved with private partners who are often used as . . . they can be acting as shields.

The government is also now managing a Crown sector which tends to be involved in international activities like SaskTel's work.

In this Bill, we have the minister providing SaskPower with more power at a time when they face more unknowns. Will the minister explain to the committee how he can justify this measure in this Bill at a time when SaskPower is facing more and more risk?

Hon. Mr. Lautermilch: — Yes, I will agree with the member in that the environment in which they're operating has been changing dramatically, brought about by free trade, by deregulation that the federal government has been pursuing, both the federal Liberals and the federal Conservatives have been pursuing. So certainly it's changed the nature of doing business, and we don't deny that.

I would want to say with respect to risk that we are doing everything in our power to ensure that the assets of these corporations — and SaskPower is the one we're discussing today — are managed and dealt with in the best interests of the people of the province. That's our responsibility.

People in 1991 and again in 1995 charged us with the responsibility to manage these Crown corporations which are assets of the province. They charged each and everyone of us as MLAs with the responsibility to manage properly and with diligence the assets of the corporation. And they can choose and do choose to remove people from that position on a timely basis.

We've now set our elections, that they will happen every 4 years. People have opportunity to judge whether or not we have done a good job or whether we haven't. We will make mistakes; there isn't an administration or a government in this country that doesn't. And we know that mistakes will happen.

But what we have set in place with respect to the decision-making process for the Crowns is a very good system of diligence. Management will scrutinize a proposal. The board of directors . . . these are brought to the board of directors on a regular basis. We are made aware of the potential risk. The board will then make a decision. From there, it gets another level of scrutiny, that being Crown Investments Corporation. And any major expenditures are dealt with in that fashion, and I think it's a very good process because it does allow for due diligence.

What this Bill is doing, though, is allowing for expenditures of up to \$1 million to be done without bringing through a major process. But does it have due diligence? The answer is, absolutely; that's my role as chairman of this board, along with two other cabinet ministers.

We have people from accounting backgrounds. We have people who have experience in the industry. We have people from consumers' groups. We have representatives on SaskPower board from the union. We have a very good cross-section. And these are all people who are appointed from the general public and who have the same concerns that all people of Saskatchewan should have, and that be that these corporations be managed efficiently.

With respect to the changing environment, yes, it is changing. And we have been making some fairly dramatic changes in terms of how we are operating this corporation and how we are positioning it so that it's able to compete in this new market-place. So you are right; there's lots of challenges. There's lots of changes that need to be made, and we will continue to work with you to be able to act in the best interest of the corporation and of the province.

Ms. Draude: — Thank you, Mr. Minister. We want to ensure that you are obvious to the fact that once this Bill is passed there is three years before people actually have an opportunity to decide if what's happening is the right thing, and there can be a lot of changes made in the meantime that will affect a lot of people.

And also the Crown tendering review process is coming up, and I think that's the time when people should have the opportunity to again let the government know if they agree with it.

Mr. Chair, Mr. Minister, with respect to this government's decision to remove the requirement that SaskPower receive an order in council to dispose of or purchase chattel or personal property of more than a million dollars, I'd like to know how many orders in council SaskPower had to get for moves last year.

Hon. Mr. Lautermilch: — I don't have the exact numbers, but I think there was about a dozen put through last year, and over the last four or five years, there was something in between 60 and 70 orders in council that were approved, that were put through the process.

Ms. Draude: — Mr. Minister, if these sorts of personal property transactions are no longer required to receive an order in council, I'd like to know what opportunity you feel the public actually has then to find out what SaskPower has been doing with our money. Could you tell us how we could get more detailed information as to what transactions are actually taking place?

Hon. Mr. Lautermilch: — I think the process that I outlined a little earlier, that members of the opposition and members of the government side are a part of. The committee of this legislature, the Crown review committee, on an annual basis brings forward . . . we bring forward the detailed information.

SaskPower has appeared before this board just recently, and I'm not sure if you were in attendance to the meeting, but I know that the officials carried in binders this high of detailed information that members of the opposition and members of the government side of the House had the opportunity to question.

We put forth internally to the Crown Investments Corporation through the board a business plan that outlines a longer-term plan. We are . . . I am hoping and I believe we are very open in terms of the information that we share, much of it very detailed. And those committees sit on a regular basis, and I think that's the opportunity that the general public can be satisfied that all of us who are charged with the responsibility of managing these Crowns have the opportunity to scrutinize what they've been doing and what they intend to do.

Ms. Draude: — Thank you, Mr. Minister. I'm wondering if it couldn't be said that the government is moving in this direction to divorce itself from the responsibility for decisions made by Crown corporations such as SaskPower. If a deal goes bad right now, the cabinet could actually be held responsible. However with this amendment, the cabinet could actually plead ignorance of the whole situation.

Hon. Mr. Lautermilch: — No, we haven't and would never do that. I think the responsibilities have indicated ultimately . . . are the people who are elected to government. People give us that responsibility every four years and hopefully for many more years to look after their assets. And we could no more shirk the responsibility of the operations of the Crowns than we would of a line department. That's just not how it is.

Ultimately the people who are elected and the people who are placed on the government side and all of us really have a responsibility. Yours to do due diligence to ensure that what we're doing — this process that we're going through right now — works in the best interest of the corporation.

Ours is, I guess, a little different in that we manage . . . set policy whereby the Crowns operate. And we scrutinize in, I guess, a little more detail and a little more frequently the operations through our roles as members of the board and me as Chair of the board. We have that responsibility and we would no . . . We can't shirk that. That's what we're charged with doing.

Management, on occasions, and all of us, will make some errors and we readily admit to that. What we attempt to do is minimize those risks and minimize those errors. But they do happen, and when errors are made, ultimately, as the chairman of the board, I'm responsible, and I'm part of cabinet so that makes cabinet responsible.

Ms. Draude: — Mr. Minister, are there absolutely any limits on SaskPower whatsoever once this amendment is enacted?

Hon. Mr. Lautermilch: — No, there are no limits now. But what it will do is it will still come to the board and we set policy with respect to Crown Investments Corporation and where it . . . and how it goes to that process.

There are items that the board will scrutinize, the SaskPower board will look at, and we have a secretary who comes from the Crown Investments Corporation. And I've described to you the ministers that sit on that. And there are many items that will go to that body for review.

We tend to want as broad a decision-making base as we can. I mean if we're looking at a fairly major initiative, I, as the chairman of that board, want to be sure that my cabinet colleagues are comfortable with the decisions we're making.

So it's not certainly an attempt to limit the decision making. We still will do due diligence. What we're trying to do is speed up the process by which these decisions get made.

There are many items that I will take to cabinet just based on my desire to have my cabinet colleagues aware of what is transpiring — I want to know what their feelings are about it — and many that we will bring to cabinet and caucus to have members share, you know, share the information and why we're doing what we're doing.

All this is doing is attempting to speed up some of the decision-making process so that the officials in the Power

Corporation can do business.

We're competing now in this open market-place, and we're not a utility that is in a monopolistic situation any more. This is now a business that's going to be out competing in the real business world. They're going to be competing against some very strong competitors. And we want to allow them the tools to be able to do that.

Business can't wait for ever to make decisions. And I know you as a business person and myself will recognize that. The scrutiny, the due diligence, will still be there. We're just trying to speed up the time frame in terms of making a decision on some of these issues.

Ms. Draude: — Mr. Minister, were there any requests for orders in council last year that was actually refused by cabinet?

Hon. Mr. Lautermilch: — No.

(1300)

Ms. Draude: — Wouldn't it make sense for you as a minister in charge of this Crown to have the final say in matters for the Crown? At least then there would be a small amount of public accountability for the Crown then, although not enough, in our eyes. But we feel that at least the minister should have the final say.

Hon. Mr. Lautermilch: — Well I guess ultimately that is in fact the case. We will set policy within the Crowns whereby senior management . . . And I want to say though that it's not my role as chairman of the board to be involved in the day-to-day management of SaskPower. I don't believe that's appropriate. I don't think that is the role that the board should play, nor is that the role that the board wants to play.

We are there to assist management with different perspectives. Quite clearly that is part of our role. Our role is to work to developing policy. And that is the major role of the board. But I'd say to the member that I am certainly not abrogating responsibility as Chair of the board. I recognize what my role is. And I want to say to members opposite that the management in fact has been very, very cooperative in terms of sharing information with us, bringing us issues that they know we will want to deal with as a board. And that process will continue.

We certainly have no desire to have the corporations less accountable. What we do have is a strong desire to position them so that they can compete in this new market-place.

Ms. Draude: — Thank you, Mr. Minister. Actually I don't have any more questions, but I want to make sure that you're well aware that we are not in favour of this. We feel that the people have to have the opportunity to know what's going on.

But I do want to thank you, and I would like to thank your officials.

Hon. Mr. Lautermilch: — I'd like to thank the member for her questions. I know that you have concerns with the operations of the Crown and all the Crown corporations. And I appreciate

your input in today's discussion.

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 agreed to on division.

The committee agreed to report the Bill.

**Bill No. 38 — An Act to amend
The Power Corporation Act**

Clause 1

Mr. Osika: — Thank you, Mr. Chairman. Mr. Minister, welcome to your officials.

Mr. Minister, we've already expressed our views on this Bill a number of times and today I'm pleased to have the opportunity to address the specific areas of concern on behalf of our caucus.

Section 59 of the old Act deals with entry upon premises of customers. This old section allows the corporation to enter onto the premises of a customer for a number of reasons. The new section broadens that ability of an officer or an employee of SaskPower to enter the premises of a customer without any notice or consent by the person living on the premises in question.

That particular notion gives us all a great deal of concern. The right to privacy here is being seriously infringed upon and I feel that these concerns need to be addressed.

If you don't mind, I'll just move to different areas of the Act to refer to. 59(1)(a) states the corporation may enter the premises at any reasonable time to "inspect service conditions." My first question, Mr. Minister, today is, what constitutes a reasonable time, and who decides what is reasonable and what is not?

Hon. Mr. Lautermilch: — Well, Mr. Chairman, I want to say to the Leader of the Opposition that this is, I think, a reasonable piece of legislation in that it allows us entry when there is a hazardous condition . . . for officials to be able to enter in people's premises.

I want to remind the member as well that private citizens still are afforded protection under the Charter of Rights and Freedoms. That is still there; that still exists.

This is not substantially different from what is in place at this time. And I want to remind the member that we have had access to people's homes to do meter readings for 46 years. It's not new, and I'm hoping that members of the opposition are not expecting to see a bogymen under a rock here because that's not what this is about. It's not what these amendments are about.

And I want to just read the old Act and the existing Act, just this portion briefly for you. The new Act under section 59(1) says:

The corporation may, by its officers and employees, (or agents) at any reasonable time, enter the premises of

customers and do one or more of the following:

(a) inspect service conditions;

(b) read meters;

Or three, and this is very important:

(c) cut off the supply of electrical energy or steam or (may) discontinue any other service rendered if the customer fails to pay, when due, any indebtedness of the customer to the corporation;

The old Act under section 59(1) said:

The corporation may by, its officers and employees, enter upon the premises of customers to inspect service conditions, read meters and, when service is discontinued, to remove meters and other equipment belonging to the corporation.

So what we're doing basically is allowing the corporation to do its job. If someone doesn't pay their bill, that there's the ability to go in and disconnect the service. And I think you will agree that in circumstances where people aren't paying their bills, it wouldn't be, I think, sensible to have people who are paying their bills subsidize the service to them.

When there is an emergency and an emergency situation where life and limb may be at risk, they have the ability to enter to the premises to deal with that kind of situation. They have the ability to read meters, to go in and read meters. And I want to say that this is not a major power grab by — no pun intended — by officials from within the corporation. This is allowing them to do their business in a reasonable fashion.

As I said, we've had the right to enter premises for 46 years, and SaskPower has never abused them. What we try and do is contact the clients, work with the clients, work with our customers, and set times where it's convenient for them.

We do all measure of interaction to try and set up a convenient situation with our customers. These are our customers. We're not here to abuse anybody. We have 430,000 clients in this province who purchase electrical energy from us, and they're our customers, and we do business in a fashion where we want to treat our customers fairly. And that's basically all this is about.

Mr. Osika: — Thank you, Mr. Minister. And I believe, and we have to believe that the intent of the legislation is such that will not in fact infringe on your customers' rights. I'll maybe just lump a few of these comments into . . . so that what you're telling me and you may just reaffirm it in your answer, that the tenant or home-owner may have some say with respect to whether or not there is an emergency.

If there's no emergency and no real cause that the tenant perhaps may see as an emergency for officials to enter, then in fact the officials or representatives of the corporation will not be there.

One thing along that same question, in the case of an apartment

block, how will an employee enter a secured building without the permission of the landlord for that building if there's an emergency in one of those blocks of premises?

Hon. Mr. Lautermilch: — I'm told by the officials much of this kind of work can be done from the external portion of the building, and that meters in most apartment blocks are in a separate room, separate and away from people's residences.

Most apartments are set up where they're all side by side, one by each. And I guess I think it would be safe to say, you know, in some emergency situations we may not be the first people to enter. A fire is an example where the Power Corporation would be called. I'm sure it would be safe to say the firemen would probably make the first entry to the building. And if we were required, if we were asked to assist them, we certainly would do that.

I just want to say to the member that in no circumstances will SaskPower force entry onto a customer's property or into a customer's dwelling. That's not why we're here. And I say to the member, we work with our clients, with our customers — phone calls, faxes, meter reading cards, you know. There's a number of different things that we do to try and have the interaction to smoothly.

Mr. Osika: — Thank you, Mr. Minister. You've just clarified one of the concerns that officials will not force entry unless it's absolutely necessary. So I'll go on just to ask, is the tenant allowed to refuse entry to an employee or officer when there is no apparent emergency at hand?

Hon. Mr. Lautermilch: — The process I guess that the officials tell me they use, if they require entry and someone refuses entry, they don't force their way in. They would probably go back to the office, try and get a court order through a legal process. But I don't think . . . and I don't know if you've heard of any instance where officials have . . . people representing the corporation have done that. I certainly haven't in the months that I've been around as Chair of the corporation or before. I think there are lots of solutions out there rather than forcible entry. And certainly the corporation officials would pursue all avenues before that would ever take place. I don't believe it would ever take place.

Mr. Osika: — Thank you again, sir. The 59(1)(c), the old section states that power may be cut off if a customer is more than 10 days in arrears. New section 59(1)(c) states that the power may be cut off if a customer fails to pay the debt when due.

This raises a couple of questions here. What is the reason for the change, and what happens if a customer mails in payments and the money arrives one or two days late?

Hon. Mr. Lautermilch: — This is dealt with by policy, and the policy of the corporation is that customers have 30 days, and so it's not really a matter of one or two days. There's lots of leeway here. And after 30 days, they would be sent notice that they are in arrears, and they're sent, on most occasions, more than one notice.

We deal with cut-offs in my office, I guess infrequently, but it does happen. With 430,000 customers in the province, you're going to have some people who get behind in their bills for whatever reason. And cut-offs are a last resort. We try and work with the clients, work with our customers to get them up to date. In lots of cases we'll offer repayment terms, you know, that they can afford. A cut-off is certainly the last ditch attempt to resolve a situation. And they have ample opportunity to work with the officials, work with the employees of the corporation to resolve outstanding bills when they become outstanding.

Our bottom line is we want to keep our accounts and our bad debts down because, you know, bad debts just mean that other good, paying clients are subsidizing those that won't pay. So we try and minimize the number. We work with them to get them back on track, and there's lots of time given to them.

(1315)

Mr. Osika: — That is a clarification, Mr. Minister, that I wanted to hear from you, and I appreciate that. I guess it becomes a concern when there is a law that's on the books that says if that is not paid when due . . . and that appears to be the change in that new section, and it does cause some concern. And I will be addressing it when we come to that section later on.

The concern there, if in fact that is exercised, the cutting off of power and then the additional hook-ups, having to re-hook because it was an oversight or somebody's been on holidays and you cut them off and then you have to re-hook it, there are costs involved. And those costs have to be borne either by the customer who may have inadvertently not met that due date deadline or in fact someone that's been on an extended vacation. And those are the kind of problems.

So I'm glad that you clarified that the statement in this new Bill that says "when due" also allows some opportunity for negotiation, if you . . . not necessarily negotiation; I'm sorry, that wasn't the term. But at least some notification and agreement by SaskPower that it will not in fact happen the day after the money is due in the office. Thank you for that clarification.

Let me just go quickly to 59(2)(a). In the case of an emergency, the corporation may enter the premises of a customer and . . . I guess the question that I have on this one, it's very simply, if SaskPower employees are required to damage personal property in order to get into a dwelling, who then pays for these damages? For example, if an employee breaks a window or door to get into the home, will then SaskPower pay the repair bills or will that be charged back to the customer because of the emergency?

Hon. Mr. Lautermilch: — Well typically we don't have to enter residences. It's to give us access to the grounds, and most of this work can be done by . . . you know, done outside of a building. But I guess if the costs were associated with actions as a result of what the customer has done, I think that probably it would be the responsibility of that customer. And I think these things would be open for discussion and interpretation based on individual circumstances.

I think, you know, with sending any of this, legislation is legislation, regulations are regulations, but the bottom line in terms of dealing with a customer service entity, as SaskPower is, policy has to be developed that's based on common sense and applicability. And I think that it changes from time to time.

We urge and work with the employees to be courteous, to be reasonable in dealing with their customers. Those are the people that pay their bills; those are the people that allow for profits to pay for their salaries. And I think they recognize that. And so I think that's . . . when you're dealing with hundreds of thousands of customers, you're going to have times when there's disagreements, times when things don't work well, but for the most part I think the corporation's been serving the general public very well.

But the bottom line is, policy has to be developed. It has to have the ability to change it and adapt it to the circumstances, but it's got to be developed based on a common sense approach to dealing with issues. And that's what I think the legislation will allow us to do.

Mr. Osika: — Okay, thank you, Mr. Minister. And that once again underlines public relations and good customer service, and I appreciate that.

It is my understanding, under 59(3), that an officer or employee of SaskPower may enter the dwelling of a customer at any reasonable time in order to discontinue service under any circumstances prescribed in the regulations. Could you give me an idea of what other circumstances prescribed in the regulations might be, and will there be a consulting process before these regulations are implemented?

Hon. Mr. Lautermilch: — I'm told that the officials have drafted the legislation such that unforeseen circumstances that may arise can be dealt with. I'm told that they can't give a hypothetical situation, but it's just to allow for something that may at some point in time down the road develop into a circumstance that can be dealt with then under this legislation and dealt with the way it's drafted.

Mr. Osika: — Thank you, Mr. Minister. Before the regulations are drafted, will there be consultations? And will that be merely among your employees and your staff, or will there be consultations with others to approve some of these regulations?

Hon. Mr. Lautermilch: — You know, as a I think I indicated a little earlier when we were dealing with the Water Corporation Bill, I think in order to have good regulations and good policy, there needs to be consultation. And certainly in terms of developing a regulatory regime, we would want information shared, stakeholder input. And so I think it's fair to say that I can assure the member that we would consult with the affected parties as we develop regulations. Certainly if regulations were drafted, take them out for feedback. Man, I think that's a reasonable approach to take.

Mr. Osika: — Thank you, Mr. Minister. And I'm confident, but I'll make this more in way of a comment or a statement rather than raise it as question. But I would truly hope that there will be provisions taken into account with respect to protection

of tenants' rights, that in fact . . . for example, that an employee or an officer may not enter a home where there are children present but no parents or guardians — provisions and regulations of that nature.

Mr. Minister, again the questions, and I appreciate you and your officials answering and dealing with these. And please understand our concerns on behalf of your customers, the people of Saskatchewan, with respect to what may be perceived as perhaps extended rights to government agencies, that people may in fact feel threatened by. And that, I hope, is not the intent — I'm sure that it's not the intent — of this particular Bill. I appreciate very much your underlining the fact that there will be precautions. There will be the type of regulations . . . there will be consultation to ensure that those regulations do not infringe on the rights of your customers, our citizens of this great province.

I thank you; I thank your officials.

Hon. Mr. Lautermilch: — Mr. Chairman, I just would like to thank the members of the opposition for their questions. I think, as I indicated earlier, we're all here to do a job. That's representing the people of this province. I appreciate the thought that was put into the questions and the concern, and I will look forward to having this issue and having the officials be able to work under the guidelines of this new legislation.

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3

Mr. Osika: — Mr. Chairman, I would propose an amendment to clause 3:

Amend clause 3 of the printed Bill by striking out the words:

“if the customer fails to pay, when due, any indebtedness of the customer to the corporation”

where they occur in clause 59(1)(c) as being enacted therein and substituting the following:

“when customers are in arrears for more than twenty days in payment of accounts for the supply or service”.

Hon. Mr. Lautermilch: — Just to comment briefly, I understand the intent of the amendment that's put forward by the Leader of the Opposition. It would be my position that this would be a policy issue that I think would be better dealt with at a corporate level as opposed to putting it in legislation.

It may be that 30 days is appropriate; it may be that 15 days is appropriate. But I think it would be better set in policy and in regulation as opposed to in statute. So I couldn't support the amendment.

Mr. Osika: — Mr. Chairman, thank you. Continuing to deal with clause 3 of the printed Bill, I propose . . . oh, I'm sorry.

There's a vote on it. I'm sorry.

Amendment negated on division.

Mr. Osika: — One further proposed amendment, a House amendment, Mr. Chairman, to:

Amend clause 3 of the printed Bill:

(a) by deleting subsection 59(3) as being enacted therein; and

(b) by deleting subsection 59(4) as being enacted therein and substituting the following:

“(3) for the purposes of this section, the Lieutenant Governor in Council may make regulations governing the entry of premises of the officers and employees of the corporation.”

Hon. Mr. Lautermilch: — Mr. Chair, I think I would ask for just a brief clarification from the Leader of the Opposition. I'm not sure what this amendment is trying to achieve. As I see it, his amendment would remove the portion that would refer to the entry of premises by the officers and agents of the corporation. Maybe he could explain to me what this is trying to achieve?

Mr. Osika: — Thank you, Mr. Chairman. That would allow then for a little more clarification with respect to the . . . under which circumstances that the employees or officials would have access to premises without prior notification, without something a little more specific in the regulations and in the policy.

Hon. Mr. Lautermilch: — You know as I indicated earlier, I think what we are attempting to do is with policy . . . and this again, I would see as being a policy development initiative. With policy, we would want to use a degree of common sense in terms of how we handle our clients. These are people that pay the bills. These are the folks that allow this company to exist, and certainly we want to be able to treat our customers with respect, with a fair, you know, with a degree of decency and honesty. And I think that the legislation as it's drafted would allow us to do that. So I can't support this amendment.

Amendment negated on division.

Clause 3 agreed to.

Clause 4 agreed to.

The committee agreed to report the Bill.

(1330)

THIRD READINGS

Bill No. 39 — An Act to Promote, Develop and Sustain Irrigation

Hon. Mr. Lautermilch: — Mr. Speaker, I move the Bill be

read a third time and passed under its title.

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

Bill No. 87 — An Act to amend The Power Corporation Act (No. 2)

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

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

Bill No. 38 — An Act to amend The Power Corporation Act

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

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

The Speaker: — Before members depart, I want to wish to all members of the Assembly that you'll spend an enjoyable weekend enjoying the hot Saskatchewan sunshine in your constituencies and with your families. Having said that, this House now stands until Monday at 10 o'clock a.m.

The Assembly adjourned at 1:33 p.m.