

The Assembly met at 1:30 p.m.

Prayers

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I'd like to present petitions on behalf of the people of Saskatchewan. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to put a moratorium on the closure of the Plains Health Centre until they conduct a comprehensive review of the health crisis as we are currently experiencing.

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

These petitions, Mr. Speaker, come from the Lampman, Bienfait, Glen Ewen, Carnduff areas of the province. I so present, Mr. Speaker.

**Mr. Toth:** — Thank you, Mr. Speaker. As well, to present petitions and reading the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to put a moratorium on the closure of the Plains Health Centre until they conduct a comprehensive review of the health crisis as we are currently experiencing.

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

And, Mr. Speaker, this petition is signed by individuals from ...

**The Speaker:** — Order. Order, order, order. The Chair is having some difficulty being able to hear the hon. member present his petition, and I will ask for the cooperation of the House.

**Mr. Toth:** — Thank you, Mr. Speaker. The petitions I'm presenting today are presented and have been signed by individuals from the Alameda, Oxbow, Bienfait, Carnduff, Storthoaks, and Frobisher areas of the province. I so present.

**Mr. Bjornerud:** — Thank you, Mr. Speaker. I also have petitions to present. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to put a moratorium on the closure of the Plains Health Centre until they conduct a comprehensive review into the health crisis we are currently experiencing.

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

The communities involved, Mr. Speaker, are Redvers, Kenosee, Manor, and Bellegarde. I so present.

**Mr. Gantefer:** — Thank you, Mr. Speaker. I too rise on

behalf of citizens concerned about the future of the Plains hospital. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to put a moratorium on the closure of the Plains Health Centre until they conduct a comprehensive review into the health crisis we are currently experiencing.

Signatures on this petition, Mr. Speaker, are from the communities, Lampman, Stoughton area. Thank you.

**Mr. McLane:** — Thank you, Mr. Speaker. I rise again today to present a petition on behalf of the people of Saskatchewan, the prayer reading:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to save the Plains Health Centre by enacting legislation to prevent the closure, and by providing adequate funding to the Regina Health District so that the essential services provided at the Plains may be continued.

Mr. Speaker, signatures on this petition come from the city of Weyburn.

**Mr. Aldridge:** — Thank you, Mr. Speaker. I too rise to present petitions on behalf of citizens concerned about the closure of the Plains hospital. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to save the Plains Health Centre by enacting legislation to prevent the closure, and by providing adequate funding to the Regina Health District so that the essential services provided at the Plains may be continued.

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

Those who've signed these petitions, Mr. Speaker, are from communities such as Coronach, Scout Lake, Gravelbourg, and Assiniboia. I so present.

**Mr. Hillson:** — Thank you, Mr. Speaker. I have petitions this afternoon from people of Saskatchewan who are dismayed and perplexed by what the NDP (New Democratic Party) are doing to our health care system, and particularly the Plains hospital. Your petitioners this afternoon come from Weyburn, McTaggart, and Mazonod.

**Mr. Goohsen:** — Thank you, Mr. Speaker. I have today petitions from people in the south-west.

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to reach necessary agreements with other levels of government to fund the twinning of the Trans-Canada Highway in Saskatchewan so that work can begin in 1998, and to set out a time frame for the ultimate completion of the project with or without federal assistance.

As in duty bound, your petitioners will ever pray.

These all come from the town and community of Maple Creek, and I'm happy to present them today.

### READING AND RECEIVING PETITIONS

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

Of citizens of the province petitioning the Assembly to have The Workers' Compensation Board Act amended to reinstate pensions for the disenfranchised widows/widowers of Saskatchewan; and petitioning the Assembly regarding the funding of the twinning of the Trans-Canada Highway; acting to save the Plains Health Centre; and putting a moratorium on the closure of the Plains Health Centre.

### INTRODUCTION OF GUESTS

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, I'm very pleased to have with us today a very familiar and bright group of students from the Humboldt constituency. Seated in your gallery, Mr. Speaker, are 42 grade 8 students from the Bruno and Cudworth schools. And accompanying them are their teachers, Mr. Jake Jmaeff from Bruno, and Mr. Scott Linton from Cudworth, and along with them are chaperons Bonnie Hauber, Lucielle Reding, Eugene Kameneski, Brenda Weiman, and Linda Bassett.

The students are in Regina today, Mr. Speaker, to observe question period but also, I believe, to visit and enjoy the RCMP (Royal Canadian Mounted Police) training academy and the IMAX centre.

So, students and teachers and parents, I look forward to our visit after question period and I ask the Assembly to please extend a warm welcome to these students from my home area.

**Hon. Members:** Hear, hear!

**Ms. Hamilton:** — Thank you, Mr. Speaker. It seems today I'm not the only one with special guests. But I would like to introduce to you and through you, 72 students who are no surprise to me. They're wonderful students from Balgonie's Greenall School, and they're from grade 6 and 7.

They're accompanied today by their teachers, Mr. Dwight Fuhro, Ms. Sandi White, and Mrs. Loretta Jaworski. They have chaperons with them, Mrs. McFarlane and Mrs. Herbert.

I'm looking forward to meeting with them following their tour and their opportunity to see a little bit of the action in the Assembly. And I'll be available to visit with them and answer any questions they may have.

I'm also, Mr. Speaker, no stranger to Greenall. Last evening I was there for the Optimist oratory contest, and I also will be there with our Minister of Finance in May. But for today I ask all members to join with me to welcome the 72 students from Greenall School.

**Hon. Members:** Hear, hear!

**Hon. Mr. Wiens:** — Mr. Speaker, it gives me a great deal of pleasure to introduce to you and through you to the other members of the Assembly, a gentleman, a grade 12 student, Peter Larson, who is a student at Thom Collegiate who's participating in a program sponsored by the Institute of Public Administration of Canada to give students an opportunity to examine what's going on in various administrative roles.

In this case, he's working with the director of communications in the Department of Intergovernmental Affairs, who's with him, Rob Cunningham. I ask all members to join with me in welcoming Peter and wishing him the best as he seeks a future career. Thank you.

**Hon. Members:** Hear, hear!

**Ms. Murray:** — Thank you very much, Mr. Speaker. I'd like to join my colleague, the member from Regina Wascana Plains, in welcoming the students from Greenall and I'd like to extend a special welcome to Loretta Jaworski, a colleague of mine. We both taught in Pilot Butte together for a number of years. It's really nice to see her here. Thank you.

**Hon. Members:** Hear, hear!

### STATEMENTS BY MEMBERS

#### International Special Librarians Day

**Ms. Hamilton:** — Thank you, Mr. Speaker. In 1934 the Spanish philosopher Ortega Y Gasset said, and I quote:

"From now on the librarians must give attention to the book as a living function. They must become policemen, masters of the raging book."

That definition might be a shade bombastic, but at the same time librarians certainly have become masters of the raging book — and especially of the torrents of information which assault us from all sides. Without librarians we would all be living in an informational 'Fibber McGee's closet'.

I mention this because this week is National Library Week and today is International Special Librarians Day. Special librarians are those information professionals who cater to a specific clientele — like our invaluable crew of intrepid legislative librarians led by Marian Powell. Without them our workload would be magnified and our effectiveness would be reduced.

Each of us asks of our library staff for anything from telephone numbers in Labrador to statistical data on environmental changes in Borneo. And the amazing thing, Mr. Speaker, is that regardless of what we ask, we get it, get it quickly with no questions and no guffaws. They are discreet, they are polymaths, and they are good. And as some of their literature says, our librarians might even turn us into fast trackers — if that's legal.

Mr. Speaker, the motto for this year's special . . .

**The Speaker:** — Order, order. The hon. member's time is

expired.

**Some Hon. Members:** Hear, hear!

### 100th Birthday Congratulations

**Mr. Gantefer:** — Thank you, Mr. Speaker. Mr. Speaker, Jennie Bell Gibson was born on April 23, 1898 in Battle Creek, Michigan, U.S.A. (United States of America). Yes, Mr. Speaker, today she celebrates her 100th birthday.

She was born of Irish descendancy to the Jordan family. In 1917, she married and moved to Melfort where Jenny resides today as a resident of Parkland Regional Care Centre. A very important part of her life has been her family, which consists of 6 children and 13 grandchildren.

Jennie's past hobbies and interests include her involvement in the Vaughn district homemakers, her role as a farm wife, playing piano for social occasions, and is known for pettipoint jewellery she has created over the years.

Would the Assembly please join me in congratulating Jennie Gibson on this very special occasion and to wish her continued years of health and happiness.

**Some Hon. Members:** Hear, hear!

### Holocaust Remembrance Day

**Mr. Whitmore:** — Thank you, Mr. Speaker. Sundown today begins a solemn day, Yom Hashoah — Holocaust Remembrance Day. It was on this day that we formally remember the 6 million Jews murdered between 1939 and 1945.

There are no words to describe the horror of these dark days of human history. Over 1 million Jewish children were singled out because of the faith of their ancestors and were stripped of their innocence, of their basic humanity, and of their lives.

Elie Wiesel once wrote, "If I spent my entire life reciting their names, I would die before I finished the task." This is a tragic truth of our history. We therefore vow with collective determination, never again. Not in Europe, not at home, not in Bosnia, Indonesia, or Somalia. Never again anywhere can we tolerate the hatred of human beings.

The lesson of the Holocaust is somewhere in all of us and it's the seed of racial hatred. We cannot allow this seed to flourish again. Nor can we allow ourselves complacency, to turn our backs and hide our faces from crimes against humanity. Between 1939 and 1945, 6 million Jews, 1 million of them children, were murdered.

### Meeting Health Care Needs

**Mr. McLane:** — Thank you, Mr. Speaker. I heard some very troubling news during the noon hour, concerns which I am sure that all members of the Assembly will share as it may have a devastating impact on health care in the city of Regina.

The media is reporting that hotel workers at the Howard Johnson Hotel in Regina have served strike notice. Obviously

this is a concern because the Howard Johnson has become the hotel of choice when there are no hospital beds available in the city. And that, as we all know, is far too often.

Mr. Speaker, aside from stepping into this dispute, there is one solution available to the Minister of Health which would help resolve the bed crisis and take Howard Johnson's off the hook. This NDP could simply decide they want to properly invest in health care and ensure there is a third hospital to serve the people of Regina and south-west Saskatchewan.

As it happens there is a piece of land that is just off the Trans-Canada Highway which would serve as the perfect location as it would provide the accessibility that residents of southern Saskatchewan need. And wouldn't you know it, a building happens to sit on that land, a building which could serve as the trauma centre, and is only 25 years old. What better investment to meet the health care needs of our people.

And I've only given a little thought to this; we might think of calling this facility the Plains Health Centre.

**Some Hon. Members:** Hear, hear!

### Shakespeare's Birthday

**Hon. Mr. Mitchell:** — Mr. Speaker, William Shakespeare was born 434 years ago today.

His five greatest works were *Hamlet*, *Macbeth*, *Julius Caesar*, *Othello*, and *King Lear*. Any writer who had the genius to write only one of these plays would have enjoyed literary immortality. Shakespeare wrote all five.

My purpose today is to acknowledge the enormous impact that he had on the English language. Every day we all use words and phrases that he invented.

For example, he might have said of some of us that we are ill-tempered or hostile or quarrelsome or hot-blooded or soft-hearted.

He might have asked if we liked puppy dogs or ever received a love letter, or if our bedroom was upstairs. In the case of each of these and hundreds of other words, Shakespeare was the first to use them.

He coined dozens of phrases: a foregone conclusion, neither rhyme nor reason, strange bedfellows, vaulting ambition, wild goose chase, passing strange, the past is prologue — quoted in the throne speech.

English is the predominant language in the world today in part because it is so flexible. Shakespeare deserves great credit for this. He showed how new words could be shaped to express thoughts and ideas with startling clarity and originality. We who use his words and phrases every day in our way of speaking owe him much.

Please join me in wishing happy birthday to the Bard, William Shakespeare.

**Some Hon. Members:** Hear, hear!

### Proposed Improvements to North Battleford Highway Entrance

**Mr. Hillson:** — Thank you, Mr. Speaker. Last week I launched petitions for improvements to the eastern entrance to the city of North Battleford. I was pleased that the hon. member from Redberry also attended the news conference.

Presently we have several different highways all converging at one spot. The result is an entrance to our city which is confusing and dangerous. There have been two fatalities in the past two years.

There are a number of changes we are seeking. The first is that Highway 40, which comes from Prince Albert, be moved to the present intersection a few kilometres east, to land donated by the city. This will relieve some of the congestion.

Other changes we are looking to is a safety barricade on the pedestrian walkway on the bridge across the North Saskatchewan, and a second bridge. I will be pleased to exert pressure on the federal government to participate in the twinning of the Yellowhead.

One last point, Mr. Speaker. NDP members from the north-west say I should be embarrassed that my Liberal colleagues in the south have been pushing for improvements to the Trans-Canada. I am not; I congratulate my colleagues. I simply say that we in the north-west must be just as vocal in making our needs known to the Government of Saskatchewan.

Thank you.

**Some Hon. Members:** Hear, hear!

### Canada Book Day

**Mr. Van Mulligen:** — Thank you, Mr. Speaker. Canadians are a fascinating people and ours is a richly unique country. After all, what you can say about one nation that produces Bill Van Der Zalm and Tommy Douglas, Nellie McLung and Margaret Trudeau?

To call attention to our uniqueness, and to encourage Canadians to think and buy Canadian, today is Canada Book Day — a day in which we are encouraged to, “buy one, give one, read one.”

And there are Canadian books — good Canadian books — by the truckload, starting with many of the best Canadian writers living right here in our own province, in this city.

In fact tonight at the Hotel Saskatchewan there is a reading, open free to the public, of three of those writers: Maggie Siggins, Guy Vanderhaeghe, and Andreas Schroeder, the latter not from Saskatchewan.

Canadian books, Mr. Speaker, are like peanuts: you cannot stop at one. And I encourage all people to try one.

Thank you.

**Some Hon. Members:** Hear, hear!

### Saskatchewan Economy Improving

**Mr. Kasperski:** — Thank you, Mr. Speaker. Mr. Speaker, I have some good news for all of us here today; some statistics that will tell us that the Saskatchewan economy is humming along very well.

Mr. Speaker, new motor vehicle sales increased by 37.6 per cent in 1997 over 1996. Building permits in Saskatchewan jumped by 15.5 per cent over the same period. Manufacturing shipments rose by 15.4 per cent; retail sales grew by 9 per cent; farm cash receipts increased by 8.5 per cent; and housing starts, Mr. Speaker, for the first two months of this year rose by 21.2 per cent over last year.

Mr. Speaker, as Sergeant Joe Friday was oft-heard said on the old TV show, *Dragnet*: just the facts ma'am; just the facts.

Thank you.

**Some Hon. Members:** Hear, hear!

### Comparison Between Saskatchewan and the United Kingdom

**Ms. Stanger:** — Thank you, Mr. Speaker. As we are talking about Shakespeare's birthday today, I saw this little letter that came from London, England. And I'd like to read you some of it, please.

As you wander the streets of this booming city, you feel proud that in key aspects of life Saskatchewan beats the United Kingdom hands down.

Not that London isn't trying hard to follow the credo of its favourite heroine, Princess Diana — to be beautiful, with-it, and humane.

But here's where Saskatchewan pulls ahead.

Last month, Labour Chancellor, Gordon Brown, brought down a budget, that, despite cries from some old lefties for more spending, hewed to the spending targets of the previous Conservative government; spared the middle class, and promised a balanced budget by the year 2000.

That's where Saskatchewan races ahead. Last month NDP Premier Roy Romanow's government also tabled a budget, but it was the province's fifth straight balanced budget. In 1994-95 the province was the first in the nation to balance its budget.

It did this despite the fact a wild Conservative administration left it with the highest per capita debt in Canada.

Is it too much to say that the world is following Saskatchewan's lead? In his recent budget, federal Finance Minister Paul Martin promised to balance his budget in the fiscal year ending March 31 . . . (the first balanced budget in 23 years) and that's in the two subsequent years.

All . . . (the) Canadian provinces now have balanced

budgets . . .

**The Speaker:** — Order, order. The hon. member's time is expired.

**Some Hon. Members:** Hear, hear!

### ORAL QUESTIONS

#### Possible Strike at SaskPower

**Mr. D'Autremont:** — Thank you, Mr. Speaker. Mr. Speaker, my question is to the minister responsible for SaskPower.

Mr. Minister, the employees of SaskPower must have been very impressed with the Sask Party's mail-in vote because now they're holding one of their one — only they're deciding whether or not to go out on strike. Mr. Minister, what are you doing to prepare SaskPower for a strike? What are you doing to ensure that there are no interruptions of service to SaskPower customers?

**Hon. Mr. Lingenfelter:** — I appreciate the question from the member from Souris-Cannington, and I want to say to him that I can assure you that the management team at SaskPower is reviewing all of the options. But most importantly, and obviously what is going on is a lot of discussion, talk, trying to deliver up a contract that will be in the best interest of the thousands of men and women who run, what I would argue as a result of the tabling of the annual report today, the best power company in Canada.

I would say to you, I would urge you, rather than to try and play politics with the situation where the men and women who work in the corporation are working towards the conclusion of a contract, that you bear with us, and I'm sure that this will work out in the best interest of the Saskatchewan families.

**Some Hon. Members:** Hear, hear!

**Mr. D'Autremont:** — Thank you, Mr. Minister. Well we've certainly seen the management style of Channel Lake and SaskPower, Mr. Speaker.

But I'd like to let the minister know that we support the government trying to hold the line on public sector wage increases, but when you see the way that SaskPower is being run these days you really can't blame the employees for being upset. SaskPower is making huge profits, not through good management but by gouging the customers. So SaskPower customers are unhappy. SaskPower workers are unhappy. The only person that's happy is Jack Messer, who can mismanage the company and still get \$300,000 pay-off.

Mr. Minister, what kind of signal does this send — of mismanagement and political pay-off — send to SaskPower employees who are now on the verge of strike action?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I want to indicate to the member again when he talks about the Crown corporations and the men and women of Saskatchewan — thousands and

thousands who make their living in these corporations — who deliver two very important fundamentals to the families of Saskatchewan: one, service that's uncomparable to utilities in any other part of the world . . . And you need only ask the men and women who live in this province whether the service is great. And it's great, and it's better than Alberta or Manitoba, and I would argue it's the best service in Canada.

When it comes to the rates, if you read your budget document you will know that when it comes to utility rates in the province of Saskatchewan, they're lower, when you put them in a bundle, than any other province in Canada. And when you stack them up against Alberta, it's \$725 a year on average less for utilities, including auto insurance, than it is in Alberta.

So why don't you come clean with the public. Why don't you come clean with the public. Admit that the men and women who run the corporations are doing a good job and that makes you very angry because it doesn't meet your philosophical view.

**Some Hon. Members:** Hear, hear!

#### SaskPower Reconstruction Charge

**Mr. Toth:** — Thank you, Mr. Speaker. My questions as well are for the minister responsible for CIC (Crown Investments Corporation of Saskatchewan).

Mr. Speaker, last year when the NDP tabled its Crown corporation annual reports, the most interesting thing was what wasn't in those reports. For instance, SaskPower hid \$14 million collected from its customers and refused to record this money as profit. Mr. Speaker, SaskPower did it in direct defiance of the advice of the Provincial Auditor. The NDP then launched a bitter attack on the auditor for even raising this issue.

To the minister: Mr. Minister, is the reconstruction fee in this year's annual report or are you going to hide it again so Saskatchewan people can't see how bad you're gouging them?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — The member opposite I think uses very much exaggerated words when he talks about gouging the public through utility rates. He will know if he's being truthful, that the SaskTel rates in this province are as low or lower than any other province with the exception of Manitoba. You know that. That is not gouging.

You will know that the SaskEnergy rates for gas are the second lowest in 1997 of any province in Canada. You will know that auto insurance is by far the lowest, in Saskatchewan, of any other province.

So when you say that they are gouging, that the men and women who run our Crown corporations are gouging, you are not only exaggerating, you are fibbing, and you should apologize to the . . .

**The Speaker:** — Order, order. Order, order.

**Some Hon. Members:** Hear, hear!

**The Speaker:** — Now the minister will recognize that he's used non-parliamentary language and I'll ask him to withdraw his remark.

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I would remove the terrible word fib from the record, please.

**Mr. Toth:** — Mr. Speaker, it's . . .

**The Speaker:** — Order, order, order. Now the minister will also recognize that it is improper to be bringing comment regarding the conduct of the Chair, and that includes from his seat. And I will ask him to withdraw his remark and apologize.

**Hon. Mr. Lingenfelter:** — I would apologize for the comment I made.

**The Speaker:** — And I ask the minister to withdraw the remark as well.

**Hon. Mr. Lingenfelter:** — And, Mr. Speaker, withdraw the remark.

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, as well over the past few weeks we've heard the minister talk about Channel Lake and tell how he's learned his lesson. I think he's kind of a slow learner because I don't think he's learned anything.

The question is, has he learned anything from what the auditor has said last year or is he going to keep gouging SaskPower customers by continuing to hide the reconstruction charge and attacking the Provincial Auditor.

Mr. Minister, the question is, will the reconstruction charge be properly accounted for in this year's annual report or are you going to still hide it, hiding the full extent of how the SaskPower gouges its customers?

**Hon. Mr. Lingenfelter:** — I say again to the member opposite, Mr. Speaker, and I'm sure you understand the exaggeration the member is using when he talks about the gouging of Saskatchewan consumers as it would relate to utility fees.

I want to ask him this. Are you saying that an 18-year-old who would register their vehicle in Saskatchewan as compared to Alberta is being gouged when they pay about one-third of what they would pay in Alberta? Is that the gouging you're talking about?

Are you talking about the delivery of gas, the delivery of gas to almost all of the communities in the province, at the lowest rates, if not the lowest rates . . . Mr. Speaker, if you could get some control of the member from Moosomin we might be able to carry on here.

But I say to him, when he uses the words gouge as it relates to the Crown corporations, he is wrong. It's false for you to say that.

As it would relate to the accounting format on the

reconstruction fee, you will know that the private sector auditors have said this is proper auditing. The Provincial Auditor is saying that he would like to see a different style of auditing. What I would urge you to do . . . as you know, the Crown Corporations Committee is dealing with this issue. It will come up again for review but you will know that issue is being dealt with.

**Some Hon. Members:** Hear, hear!

### Crown Corporation Losses

**Mr. Bjornerud:** — Thank you, Mr. Speaker. Mr. Speaker, the SaskPower reconstruction charge is not the only thing hidden in last year's annual report. There was only a passing reference to the fact that SaskTel lost \$16 million in the NST fiasco. When we asked the minister about it she said, because of the write-off occurred in 1997 there would be a full accounting of NST in this year's annual report.

Well, Mr. Minister, is it there? Are we going to see a full accounting of how you blew \$16 million on NST or are you going to hide it again in this year's report?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — Just in checking with the Chair of Crown Corporations Committee, she indicates that that will be one of the issues when the report comes up that will be dealt with in a great deal of detail.

And so I say to members opposite, if he's patient and when the review of that particular Crown comes up, you will understand that that issue will be dealt with.

But, Mr. Speaker, I think what's interesting is that in the line of questioning, in the line of questioning you will know that the big picture as it would relate to Crowns, whereby the Crowns are functioning and functioning extremely well, delivering extremely qualified, quality service to the people of the province at the lowest rates in Canada, for you people to malign the thousands of men and women who deliver the service in our utilities is irresponsible. You know it. And you're doing it for philosophical reasons to try to destroy the Crowns so you can privatize them.

That's your agenda. Everyone knows it. Why don't you come clean and just stand up and say, we're going to privatize the Crowns if we're elected. That's what you want to do.

**Some Hon. Members:** Hear, hear!

**Mr. Bjornerud:** — Thank you, Mr. Speaker. Mr. Minister, I think right now you'd have a hard time convincing the Saskatchewan public that SaskPower is running well. I think they have a different opinion of that.

Mr. Speaker, another thing that was conveniently left out of last year's annual reports was the mention of how STC (Saskatchewan Transportation Company) lost three-quarters of a million dollars in freight bills. I guess they lost that page of the report the same place they lost the freight bills.

Once again, Mr. Minister, we're really looking forward to seeing this year's report. Are we going to see a complete accounting of how STC managed to lose three-quarters of a million dollars in freight bills, or did you manage to lose that page again this year and hide the losses from Saskatchewan taxpayers? Will we see these losses in this year's report, Mr. Minister?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — I say again to the member opposite as it would relate to STC, I know that your new leader, Mr. Hermanson, is committed to privatizing and selling off the bus company. During the leadership race, that was a common theme of the member from Melfort, the leader, Mr. Hermanson, who said . . .

**An Hon. Member:** — It's a common theme of the people of Saskatchewan.

**Hon. Mr. Lingenfelter:** — No, it is not a common theme of the people of Saskatchewan. The member from Souris Cannington says the public wants to privatize. How little you have learned from the big debate that took place that defeated, in part, the Devine government where they tried to privatize SaskEnergy.

**An Hon. Member:** — Private enterprise can do it.

**Hon. Mr. Lingenfelter:** — Well he says private enterprise can do it. There's no problem with that. But if you are honest, get to your feet and make the commitment that if you're elected you would privatize the Crowns, instead of shouting from your seats, which is allowed in this House obviously. You shout, you howl about privatization, but you don't have the nerve, you don't have the nerve to get up and call for privatization because you know you would be defeated again on that item.

**Some Hon. Members:** Hear, hear!

### Health Care Workloads

**Mr. McLane:** — Thank you, Mr. Speaker. Seven years ago the Leader of the Opposition, our current Premier, summed up the state of health care in the province. He told this House, doctors and nurses and other care-givers are worried about intolerable working conditions and difficulties of stress.

Today the level of sick and stress leave in our health districts is eight days per year, far above the national average of five days. The Saskatoon Health District says workloads for registered nurses in that city are 50 per cent higher than their counterparts in Vancouver and 30 per cent higher than in Alberta.

Mr. Premier, if you considered conditions intolerable then, how in the world can you defend what your government has done to the health care system in this province since you came to power?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Mr. Speaker, to the member opposite, first I want to say to him that we acknowledge, and have on many occasions in this House, that the working environments for

many of the people who work within the institutions, the health care institutions and in community services, is higher than we like it to be. And as a result of that, this budget again this year reflects us addressing some of those issues.

This year in the \$1.72 billion budget that we provided to Saskatchewan people we've included in that, Mr. Speaker, opportunities for the district health boards to provide enrichments to staff at the front lines to ensure that we can relieve some of the pressures that they're experiencing in the acute care centres, in their work in the home care side, and in their work in the long-term care side.

That's the commitment that we made to Saskatchewan people today. And in this year's budget we provided that kind of an injection to begin to address the pressures that the member raises.

**Some Hon. Members:** Hear, hear!

**Mr. McLane:** — Thank you, Mr. Speaker. I believe that's the first time in this House that I've heard the Minister of Health admit to the guilt of the wrongdoing that they did when they started on the wellness model in 1991.

Mr. Speaker, seven years ago the Premier questioned: what in the world has caused all these bed closures and professionals leaving and communities on edge? That statement is more applicable today, Mr. Speaker, than at any time in the past and perhaps you should explain why, Mr. Premier.

Is it because you have slashed more than 1,000 hospital beds? Is it because you've eliminated more than 500 long-term care beds? Could it be because waiting-lists are at an all time high?

Is it that 600 fewer nurses are taking care of our health care needs, or perhaps the 48 per cent rate of physician turnover in rural Saskatchewan in the past four years, Mr. Speaker? — is a level not seen since the medicare crisis of the 1960s.

Mr. Premier, take your pick — or can you? Because you know there are concerns with every facet of health care in this province.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Mr. Speaker, on a daily basis I've stood in the House and responded to the member opposite about the kinds of injections that we provided for the health care system over the last six years, and advise the member again that this year we put an additional \$1.72 million into the budget and remind the member opposite that we put money into rural positions, into rural technology to assist rural Saskatchewan to better provide those services.

I've been at three public meetings of which the member opposite was at as the Liberal member at a Liberal meeting. And he heard me say on an ongoing basis that we understand the pressures that are there, we understand the pressures that are there, and that we're prepared, Mr. Speaker, to put some additional resources into those areas — as we have.

But the member opposite didn't hear, Mr. Speaker, because he

was too busy, too busy at those meetings browbeating the public and saying to the public that what we have is . . . going to have a reduction of beds in Regina, that we're going to lose the number of physicians that we have in the province, that there's no parking spaces. So rather than listening to the facts, Mr. Speaker, the member opposite has been too busy, too busy fearmongering around what's happening within the health care system, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

### Crown Corporations Review

**Mr. Hillson:** — Mr. Speaker, when the Crown corporations of this province were initially set up by Liberal governments, they were set up to serve the people of Saskatchewan. Now they appear to be going into quite different mandates. We understand that the board of SaskPower is presently reviewing the mandate of its international investment arm since the termination of the president of SaskPower Commercial.

Mr. Speaker, whether the Crowns are to be used for back-door taxation or international adventures, are not policy issues that should be determined behind closed doors. They should be determined by public debate of the people of Saskatchewan who we are told are the owners of these Crown corporations. There should be a full debate in this legislature of the people's elected representatives on the direction we want our Crown corporations to take. Will the minister facilitate that debate occurring?

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I'm not sure where the member has been in the last two years, but in 1996 the biggest review, the largest review of our Crown corporations that was ever held took place under the leadership of the member from Rosetown and the staff at CIC.

They held many meetings across the province. They reviewed the Crown corporations. And the conclusion that the public gave to us shouldn't surprise us, but in general they went along the lines that the people believed that the Crowns delivered excellent service at reasonable price. That came through loudly and clearly.

They believed that the Crowns should not be privatized and they also said that we should look at doing investment, project management, and consulting outside the border of Saskatchewan. Now I'm not sure, because these meetings weren't organized by the Liberal party that they don't have legitimacy with you, but I want to say that that review took place.

Mr. Speaker, I also want to say that I have been holding meetings over the last three weeks in many communities on the future of Crowns — Lloydminster, Watrous, Humboldt, and a number of other areas. We've either had meetings or will have. And I say to the member opposite, you can share your views here in the House, give speeches, and we'll take them into consideration.

**Some Hon. Members:** Hear, hear!

**Mr. Hillson:** — Yes, Mr. Speaker, we had our view, we talked

about a new era. The people told us they wanted our Crowns concentrating on core activities but that's not what they got. They got Uruguay, they got Guyana, they got Chile, they got the Philippines, they got El Salvador.

Is the Deputy Premier telling us that the people of Saskatchewan asked for this? I don't think they did. There should be a resolution before this House debated and approved before we launch into any more costly, hare-brained international ventures. That has not happened; that should happen. Will the Deputy Premier undertake to do that?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lingenfelter:** — The member is wrong and he's deceiving the members of the Assembly. I have here the minutes from the Crown Corporations Committee dated December 11, 1997 where a number of the members are quoted — I won't give their names, but you will know the names because you have members on the committee — talking about the Saturn investment. Talking about the Saturn investment and debating it.

And I want to quote Dale Bassen, the president of SaskTel International, and he said:

So I appreciate the point but I think if you look at the overall industry it's not atypical for start-up companies to lose money in the first years of operation.

And these were questions being asked by the members. It was debated.

There was no motion put at that time by any member not to do that deal. Not one of you raised a motion not to do that deal when it was reported to a committee of this legislature. And for you to say there has been no debate and that you haven't had involvement is false. It's false.

It's been debated here in the House, it was debated in committee. You and your colleagues did not raise a motion not to do the investment. You approved the report. You approved the report. And you know you've been involved and given approval. How is it now that your back . . .

**The Speaker:** — Order. Next question.

### Inquiry into Channel Lake

**Mr. Hillson:** — Mr. Speaker, one of the three pages apparently ripped out and substituted in the Channel Lake sale agreement after it was signed by our officials involves a significant potential liability to the people of Saskatchewan. That is the change to 7.1.

We were, we were told that SaskPower has not done the calculation as to what that potential liability can be. Can the Deputy Premier shed any light today on what is our potential liability; how much more could we be on the hook for to clean up the Channel Lake mess?

**Hon. Mr. Lingenfelter:** — I said to the member opposite yesterday and I'll say again today, the member should ask all of



those detailed questions in the committee. I would also comment on . . . and quote from Mr. Priel, who told you yesterday. He says that:

My remarks this morning are directed . . . (at) all . . . members of the committee . . . this committee does have responsibilities. And those responsibilities include allowing witnesses to make a full answer and explanation of . . . their actions . . .

Well you're in the middle of the discussion with various, with various members of the staff of SaskPower and they will be answered.

But I know that at another issue you talk about the losses in Saturn and how terrible they are. I want to quote from a letter that I sent, I sent to the committee which you and your caucus are a member of. And I said this:

Saturn is a start-up company and as such it will incur losses for the first few years. This will result in a negative impact on SaskTel's net income. The impact on SaskTel for the next six months of 1997 and the year '98, for example, in terms of reduced income, will be approximately 4 million Canadian and 9 million respectively.

You were at the committee with your members. You voted for this in the House when the report came back to the House.

**The Speaker:** — Order, order, next question. Next question.

**Some Hon. Members:** Hear, hear!

### Nursing Home Funding

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, allow me to cite to you an example of how this NDP government treats the sick and elderly of Saskatchewan. Eighty-eight-year-old Mr. Zurevinsky, a cardiac patient, spent 21 days in hospital. He was then released and in dire need of placement in a nursing home because of his precarious and weakened state of health.

An assessment of the level of care needed was undertaken and he was told he did not qualify for nursing home care. He was told he would have to go into a private, for-profit home which would cost him about \$1,300 a month. Now, Mr. Speaker, how a very frail 88-year-old cardiac patient does not qualify for nursing home care begs for an explanation.

Mr. Minister, it is time for you and your government to honestly acknowledge that you have devised a strategy to cut publicly funded nursing home beds so that seniors are forced to pay for private care. And you cannot, in good conscience, say that you are the saviour of publicly funded health . . .

Mr. Minister, if you disagree with me I ask . . .

**The Speaker:** — Order, order, order, order, order. Now the hon. member is being extremely lengthy in her preamble and I ask her to go — order, order — I'll ask her to go directly to her question now.

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Minister, if you feel I'm wrong I ask you to intervene on Mr. Zurevinsky's behalf and see that he is admitted to a publicly funded nursing home. Will you do that, Mr. Minister?

**Hon. Mr. Serby:** — Well, Mr. Speaker, first of all I want to indicate to the member opposite that I appreciate her bringing to my attention the issue as it relates to Mr. Zurevinsky, and I want to also say to the member opposite that I appreciate that she assists in confirming a number of things to the Assembly today.

First of all, for the last 25 or 30 days we've had the members opposite standing up in the House here and saying that people don't stay in hospitals very long. Today you've confirmed that we have somebody who's been in a health care centre for 21 days. And I appreciate, ma'am, that you were able to bring that to our attention.

In respect to the particular individual, I want to say that in each of the health districts we have what we call district assessment coordinating committees. On these committees sits a team of individuals who serve as health care professionals: doctors, nurses, home care workers, orthopedic . . . optometrists, physiotherapists, occupational therapists — a team of seven or eight people. And at the end of the day they make the decision as to whether or not somebody stays in the health care centre, whether they go to a long-term care centre, or whether they must go into a private centre or private home. That decision is made by a team of health professionals.

**Some Hon. Members:** Hear, hear!

**Ms. Julé:** — Mr. Speaker, one has to wonder about an assessment system that determines that an extremely ill and frail 88-year-old man does not qualify as level 3 or 4 for placement in publicly funded nursing homes.

And, Mr. Minister, don't try to pass the responsibility onto the shoulders of the health district and front-line staff. It is your department, it is your department that sets the guidelines for a health care assessment and it is becoming apparent that your guidelines and policies are designed to divert as many seniors as possible from publicly funded nursing homes to private, for-profit homes.

Mr. Minister, why won't you simply tell the people of Saskatchewan that the underlying intention of NDP health reform is to usher in privatized health services.

**Hon. Mr. Serby:** — Mr. Speaker, I'm getting the feeling here that the member opposite is planning on making a move. Because she's beginning to talk, Mr. Speaker, about the importance of a privatized health care system in the province. And maybe she's making a decision, Mr. Speaker, to move back in a different direction. I don't know what she's going to pick, but it seems to me that she's warming up, Mr. Speaker.

But I want to say to the member opposite, I want to say to the member opposite that there is no intention, there is no policy, there is no government direction, and certainly the health department or the people of Saskatchewan will never tolerate a privatized health care system.

And today, as I said earlier, Madam Member, that in this province we've included an additional \$1.72 million in our budget to ensure that we can provide excellent, efficient health care services across the province.

And I want to say to you that if you have an objection with the work of the DACs (district assessment coordinator) in each of the districts around the province, then you need to go to the men and women who are working on the ground in the communities providing the best health care services that we can receive.

And if you want to play politics with it, you should go back and have that discussion with your members in your community, who serve you and others very well.

**Some Hon. Members:** Hear, hear!

### INTRODUCTION OF BILLS

#### Bill No. 32 — The Wildlife Amendment Act, 1998

**Hon. Mr. Scott:** — Mr. Speaker, I move that Bill No. 32, The Wildlife Amendment Act, 1998, No. 2, be now introduced and read the first time.

Motion agreed to, the Bill read a first time and ordered to be read a second time at the next sitting.

#### Bill No. 33 — The Provincial Court Act, 1998

**Hon. Mr. Nilson:** — Mr. Speaker, I move that Bill No. 33, The Provincial Court Act, 1998 be now introduced and read the first time.

Motion agreed to, the Bill read a first time and ordered to be read a second time at the next sitting.

### ORDERS OF THE DAY

### WRITTEN QUESTIONS

**Mr. Kowalsky:** — Mr. Speaker, I have here the answer to question 50, and by leave of the Assembly I'd also like to table the answers to questions 51 and 52.

**The Speaker:** — The Government Whip requests leave to respond to all three at the same time. Is leave granted? Leave is granted. The answers are provided for questions no. 50, 51, and 52. Those are tabled.

### GOVERNMENT ORDERS

### ADJOURNED DEBATES

### GOVERNMENT MOTIONS

#### Telecommunications Access for all Canadians

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wiens.

**Mr. D'Autremont:** — Thank you, Mr. Speaker. It's a pleasure to rise today to address this particular issue. It created a bit of a

stir yesterday in the House when the government brought forward this motion. And fact is, Mr. Speaker, members of the opposition thought there was something a little bit fishy about this particular motion.

And today we found, Mr. Speaker, that the proof was indeed on our desks — that there was something fishy about this particular situation. We had some concerns that perhaps these weren't goldfish, Mr. Speaker, but rather that they were perhaps bathtub sharks. We were glad to find out though, Mr. Speaker, after a closer review of the situation that this wasn't necessarily the case.

So, Mr. Speaker, some of the issues we were concerned about on this particular Bill was whether or not this was going to result in an increase in fees for subscribers to telecommunications. It's still a concern, Mr. Speaker, and we will be watching very closely to determine whether or not a change to provide funding from the telcos to provide universal access to communications will indeed result in an increase in price.

When we look at some of the other initiatives that this government has implemented dealing with the telecommunications industry, such as 911, most of the province is still waiting for 911, Mr. Speaker, but we're paying the costs.

So, Mr. Speaker, those are the kind of things that we were very sensitive to, that the people of Saskatchewan are very sensitive to, Mr. Speaker, when it comes to any fiddling with the telecommunications system.

We have seen a decrease, Mr. Speaker, in the cost of long distance over the last number of years. Now the government greatly feared this reduction in costs through competition, believing that SaskTel would no longer be generating the revenues that it had once done.

What it found last year was that people used the telephone more because it cost less. At the end of the day there was actually a net increase in the profits made by SaskTel long distance because of the increased usage. So, Mr. Speaker, sometimes lowering the price actually benefits both the customer and the corporation involved; although when you look at things, Mr. Speaker, when it comes to the telcos, perhaps it is time to take a very serious look at privatization. I know that that word is not popular amongst the members opposite, but even some of their appointed Crown officials, such as Mr. Messer, is saying that there is a role for privatization.

I attended the Talking about Crown corporations seminars that were held across the province over a year ago. I attended the one at the university where Mr. Allan Blakeney was one of the guest speakers. And even he, Mr. Speaker, felt that there was a time to have a look at the Crown corporations to make a determination as to whether or not they should be privatized.

One of the other areas that Mr. Blakeney brought forward, that in this particular motion I think would have some value, Mr. Speaker, was the idea of a Public Utilities Review Commission. He expounded that idea at that particular meeting. And I note that the government members want to quote from some of his comments at the university that day but they seemed to forget

some other things that he said, such as the need for a public review process.

A public review process, Mr. Speaker, would be one of the avenues by which scrutiny could be given to the funds that the government is proposing be put in place to provide access to people across, particularly northern and rural areas, Mr. Speaker.

Some of the other things that we've seen happen with the telcos in a very short period of time is larger exchanges. I think, Mr. Speaker, there isn't a single person in Saskatchewan who is opposed to the idea of larger exchanges, except perhaps the people involved with SaskTel and the minister of Crown corporations. Everyone else is in favour of expanding those exchange areas so that they can phone the school where their children are going; they can phone the local health care services; they can phone their RCMP without it always being long distance, Mr. Speaker. So that is some of the access that the people of Saskatchewan want their telco to provide for them.

Now this proposal is to provide a subsidy for access in rural and remote areas, but part of that access, Mr. Speaker, should also include larger exchanges and being able to access larger numbers of telephones. If you happen to be a telephone subscriber in Regina or Saskatoon you could contact greater than 200,000 telephones. If you happen to be a telephone subscriber on my home exchange of Alida you're lucky to contact 200 telephones without long distance. And the cost, Mr. Speaker, is not that much different, not that much different.

But the people in Regina get 100 times more telephones to contact than somebody in an exchange such as Alida. And Alida, Mr. Speaker, was one of those areas that was not added to another area. It remained the same even though, even though, Mr. Speaker, the additional \$6 has been added to our bills.

One of the areas, Mr. Speaker, that I'm hoping the government will take a look at with a subsidy program, would be access to satellite technology. We currently have cellular telephones, hand-held telephones, that do not need to access the local network. They access a satellite in the sky and can communicate any place in the world. It's still fairly expensive, Mr. Speaker.

A year ago costs for such a telephone was \$3,000 and approximately \$5 a minute. That cost has dropped down to about a \$1,000 for the telephone and about \$3 a minute — still very expensive, Mr. Speaker, but hopefully in the near future that technology will become more accessible. The cost will decrease, as we have seen other costs in telecommunications decrease, and it will become accessible to those people in more remote areas; so that it won't be important for a telco to actually run a land line into that remote area, but they can have access through some other technology.

One of the things that we've seen happen with this government since they've took power and took over control again of the telco, SaskTel, has been a very dramatic increase in the cost to install a new telephone service. And fact is, that cost in rural areas has increased to \$200 a mile, Mr. Speaker.

(1430)

So it's not necessarily how long or how much wire they have to put in the ground in addition from the last point to the next point, but rather it goes all the way back to the exchange centre. So while your closest pedestal may be a mile away, so it would cost you, you would assume, \$200, you may be 20 miles from town so the cost has now gone up to \$4,000 because it's measured from the point of exchange to the new telephone system rather than simply just the amount of wire that has to go in the ground.

Perhaps this is what some of the things that can be direct . . . this fund could be directed to, is reducing this cost back to a more manageable level, Mr. Speaker.

What this particular motion does, Mr. Speaker, is it's delivering a social policy. Mr. Speaker, it's not the role of the Crown corporations, or any corporation for that matter, to be delivering social policy. That, Mr. Speaker, is the purview of the government and of the legislature — to determine what social policy is going to be and to deliver that policy. Now the Crowns may be used as a vehicle to deliver that policy, but that policy decision has to be made on the floor of this legislature, Mr. Speaker. And then the government can then turn around and provide that subsidy to the corporation who will be delivering that program.

So in that vein, Mr. Speaker, it's my hope that if this fund is formed and put in place, that the funds won't simply be directed through SaskTel in Saskatchewan. But rather they would be available as a general program to be delivered through any other service delivery system that wants to provide telecommunications service in the province of Saskatchewan.

So let's say Manitoba Telephones was about to deliver some telephone service into Creighton. Creighton's on the Saskatchewan side of the border, Flin Flon on the Manitoba side of the border. If they're going to supply some telephone service into Creighton then this kind of a subsidy, Mr. Speaker, should be available to Manitoba Telephones to deliver the service in Saskatchewan. It simply shouldn't be just locked up by SaskTel, Mr. Speaker.

So, Mr. Speaker, to that end I would like to propose an amendment to this motion that would indicate that this fund is available to northern residents and rural residents and that it's not simply limited to SaskTel, but is available to all service delivery people no matter where they are from. And indeed this program is designed, not just for Saskatchewan, but indeed for Canada as a whole; so it should not matter where they live in Canada for the accessibility to this particular program.

So, Mr. Speaker, I would like to move, seconded by the member from Melfort:

That all words after territories be deleted and the following substituted therefor:

To create a national rural and remote service fund in order to sustain universally accessible telecommunications access for all Canadians regardless of where they reside.

Amendment agreed to.

Motion as amended agreed to.

## SECOND READINGS

### Bill No. 29 — The Workers' Compensation Amendment Act, 1998

**Hon. Mr. Mitchell:** — Thank you, Mr. Speaker. It's my pleasure to rise this afternoon to move second reading of An Act to amend The Workers' Compensation Act. This Bill improves benefits for working people and ensures greater accountability of the Workers' Compensation Board.

As the hon. members will know, a committee of review must be established every four years to review and report on all matters relating to The Workers' Compensation Act. The 1996 committee completed its review and presented its report to me on December 31, 1996.

About half of the committee's recommendations dealt with policy changes, and work in that respect is going on at the Workers' Compensation Board now with respect to implementing of those recommendations.

Other recommendations require more consultation with the interested persons and organizations and with the Workers' Compensation Board prior to any further action being taken.

There were however a number of recommendations of the committee of review which found consensus among the various interested organizations who are concerned about Workers' Compensation. It is in those areas where amendments to the Act have been prepared and it is to those areas that I wish to speak this afternoon.

The amendments improve benefits for Saskatchewan workers in a number of ways. Firstly, a benefit-of-the-doubt clause has been added to ensure an issue is resolved in favour of the worker where everything else is equal. This clause states, and I quote, Mr. Speaker, that:

Where the evidence in support of the opposite sides of an issue is approximately equal, the board shall resolve the issue in favour of the worker.

I think this is extremely important, Mr. Speaker. Saskatchewan workers have earned and deserved the benefit of the doubt when it comes to compensation claims.

The definition of injury has been expanded to include occupational disease. For the purpose of this Act an occupational disease is defined as:

... a disease or disorder that arises out of, and in the course of, employment and that results from causes or conditions that are:

(i) peculiar to or characteristic of a particular trade, occupation or industry; or

(ii) peculiar to a particular employment.

This clarifies that occupational disease is compensatable under the Act.

The minimum lump sum annuity payment limit has been increased from \$5,000 to \$20,000 to give injured workers more retirement options. It will also, Mr. Speaker, simplify the administration of the board.

Pension contributions will be provided to surviving dependent spouses who are currently receiving benefits, and survivor benefits are being extended to dependent common law spouses regardless of the length of the relationship if they are the natural or adoptive parents of a child.

Mr. Speaker, one of the most common issues raised during the public meetings and consultations conducted by the committee of review was the question of the Workers' Compensation Board's accountability to its stakeholders and to the public at large.

This same issue arose during consultations which were held in connection with the development of the legislation that is before the Assembly and arose again during the Saskatchewan Federation of Labour's recent series of public meetings on Workers' Compensation.

In addition to the other improvements it makes, this Act also includes measures to increase the accountability of the board. It contains provisions which require the board to hold one general meeting a year for all of the organizations who have an interest in its operations; separate meetings will no longer be held for labour and for business. It will provide for a consultation prior to the reappointment of board members; the consultation being again with organizations who have an interest in Workers' Compensation matters. The legislation also prohibits the Chair of the board from acting as the chief executive officer and chief administrative officer of the board.

In addition this legislation encourages a cooperation between the board and the occupational health and safety division of the Department of Labour by requiring the two to consult with each other and share information. This is a subject which has been the matter of some controversy in the past. On the whole it has worked well, but for the first time the requirement for the consultation and the sharing of information will be embedded in the statute.

Mr. Speaker, I'm especially pleased to be able to report to this Assembly that these amendments are not likely to result in any increase in the Workers' Compensation premiums paid by Saskatchewan employers. An independent study by Price Waterhouse states that the Workers' Compensation Board surplus and reserves should be able to absorb most of the increased costs resulting from the amendments.

I think it is equally important to note that these amendments are based on the recommendations of a committee of review and follow extensive consultations with the public and with representatives of both the labour and business communities.

The committee of review held public meetings and received more than 180 written submissions. Department of Labour officials held numerous meetings with representatives of

organizations such as the Saskatchewan Federation of Labour, the Canadian Federation of Independent Business, the Saskatchewan Chamber of Commerce, and the Workers' Compensation Board itself — all of whom made significant and meaningful contributions to the amendments.

Mr. Speaker, I'd like at this point, if I may, to commend and thank the Department of Labour officials who made the extra effort and took the extra time to conduct these consultations and to ensure the legislation we are considering today is the result of consensus.

While these amendments improve benefits for workers, we must remain vigilant and continue to make every effort to prevent accidents in the workplace. To this end I'd like to mention a new initiative of the Department of Labour.

The recent provincial budget contains funding for a new prevention unit at the department. This unit will devote all of its time and energy to educating Saskatchewan workers and employers about our labour standards and occupational health and safety laws, as well as about the services we can provide to prevent work stoppages and disruptions. This unit will build on the already substantial effort the department's occupational health and safety division is making to help workers and their employers take every step possible to prevent workplace accidents.

Saskatchewan workers are our province's most valuable resource. We have led the world in the area of occupational health and safety, and we will continue to do so. We continue to work with business and labour organizations and with working people across the province to prevent accidents and injuries in the workplace.

Preventing accidents before they happen is better than even the most perfect compensation program. Even one death in a Saskatchewan workplace is one too many, and even one injury too grievous. Until we achieve that ideal though, we have a responsibility to take care of workers who are injured on the job and to help their families in the unfortunate event of a tragedy. That's what this Act is intended to do, Mr. Speaker, and I think it goes a long way towards doing so.

I move second reading of Bill No. 29, The Workers' Compensation Amendment Act, 1998.

**Some Hon. Members:** Hear, hear!

(1445)

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I'm pleased to hear some of the improvements that the minister is talking about, and I note he has a press release yesterday as well in regards to the Workers' Compensation Board.

Mr. Speaker, there's no doubt that this is an area that needs revamping. Over the past number of years I found in my dealings as a legislator that there are . . . Workers' Comp is one of the issues that seems to be continually on my desk; concerns that people have. And I guess the unfortunate part as legislators, we all face the individuals who seem to fall through the cracks. And I'm hoping that as we go and look at this Bill, that this Bill

will indeed address some of the concerns.

The minister talks about improved . . . well not necessarily saying improved benefits, but the fact that the benefit of the doubt in some cases will be given to the worker.

I think, Mr. Speaker, as you look at the piece of legislation, and just listening to the comments the minister has made, it seems that on many occasions and what I found . . . and I thank the minister as well — just recently I had the pleasure to deal with his office on a certain claim.

And I can say that it's unfortunate, I think some of the times that some of the problems that workers face is there's just an inability to, if you will, communicate properly, or communicate with the workers at the Workers' Compensation Board itself. There seems to be a lack of understanding of some of the problems that workers face.

And there's no doubt, Mr. Speaker, that we see problems that are arising that workers are facing that aren't as cut and dried as maybe the Workers' Compensation Board would lay them out, or maybe the regulations or the rules have laid out in the past. And what it has done is created, if you will, almost a confrontational mode of dealing with the board in regards to legitimate claims.

One of the concerns I think that is raised, and that I've heard on many occasions, is the fact that personal physicians, and even specialists that workers have gone to or have been referred to, seemed to be . . . their opinion seemed to be disclaimed by the board itself and by their professional . . . or the specialists or their medical professionals. And this is an area that we look forward to discussing with the minister in assessing how this piece of legislation gets around that, or deals with that problem that has certainly come up and continues to come up.

I think it's important, Mr. Speaker, that we recognize the fact that when a worker has a problem, or an individual is injured, and I guess some of the issues that come to the forefront — the problems that arise, some of the problems that arise don't necessarily happen immediately when a person has received a bit of an injury on the job.

Some of the areas of major concern deal with lower back problems and back pain, and what have you, and in many cases some of these issues show up maybe two or three or four days after the fact. And I've talked to individuals who are at the point where they really can't go back to work because of the complications that have arisen. They kind of sloughed it off in some cases for a little while thinking, well it's just a backache; it's going to go away. Then they find themselves with a major problem, and they have a very difficult time trying to relay to the board what even their personal physician and a specialist are informing them about the types of conditions.

And so the fact that this Act is before the Assembly, that we're going to have to deal with . . . The ministers talking about some improvements and changes. We're looking forward, Mr. Speaker, to indeed sitting down with the minister and talking about looking at where the improvements . . . the changes that are being suggested by the Act, and bringing forward some of the concerns that individuals have brought to our attention.

And I know the minister is aware of this because personally I've had the privilege of dealing with his office and with the Workers' Compensation Board on a number of these issues. We're hoping that as we go through the Bill and the legislation before us, that we'll be able to look at it very carefully and see whether or not the Bill does indeed address all of the concerns and the issues and the questions that are out there.

I think it's imperative, Mr. Speaker, that we look at this Act very carefully because there are so many people that are looking towards the legislation and looking towards us as legislators trying, at least, addressing the concerns and making sure that the board and Workers' Compensation is indeed meeting the needs of individuals out there.

Now as I stand here this afternoon, Mr. Speaker, I don't stand here saying that we just open the Act wide open; that we're not standing here to say that everyone who complains about an injury should indeed receive compensation and may be compensated for ever. We're not saying that, Mr. Speaker. What we're saying is, let's be fair, let's be reasonable. And I think that's what the minister is trying to do with the piece of legislation before us today.

However, Mr. Speaker, I think as I take a quick perusal of this piece of legislation, this is one of the pieces of legislation on the order paper right now that I believe is going to give us an opportunity to get into legislation in a little more depth compared to some of the other pieces of legislation.

There's a lot of material here, some information we need to look at very carefully before we move on and move into further debate. Therefore at this time I will move adjournment of debate.

Debate adjourned.

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

**Mr. Kowalsky:** — Mr. Speaker, by leave of the Assembly, before we proceed to the next second reading, I would like to pass a motion which would — ask the House to pass a motion — which would send the transcript of the debate on the motion that was passed regarding telecommunications to Minister Manley in Ottawa.

Leave granted.

## MOTIONS

### Telecommunications Access for all Canadians

**Mr. Kowalsky:** — Mr. Speaker, therefore by leave of the Assembly, I move:

That a copy of the motion and transcript of the debate on the motion passed today regarding telecommunications and a national rural and remote services fund be transmitted to John Manley, minister responsible for the CRTC (Canadian Radio-television and Telecommunications Commission), on behalf of this Assembly, Mr. Speaker.

Motion agreed to.

## SECOND READINGS

### Bill No. 30 — The Tobacco Tax Act, 1998

**Hon. Mr. Cline:** — Thank you, Mr. Speaker. I rise today to move second reading of The Tobacco Tax Act, 1998. This Bill repeals the current Tobacco Tax Act and replaces it with a new Act, along with consequential amendments to The Revenue and Financial Services Act.

The current tobacco tax legislation was implemented in 1965 and many of the administrative and enforcement provisions require updating. This new legislation accomplishes that. In addition, the new legislation will more properly authorize the method by which tobacco taxes are collected and administered.

Mr. Speaker, the tobacco tax is imposed on consumers when they purchase their tobacco products at the retail level. For administrative simplicity however, tobacco wholesale dealers are required to pre-collect and remit the tax on the tobacco that they sell to the retail dealers. All provinces collect tobacco taxes in a similar manner.

It is important to ensure that the tax is considered a direct tax not an indirect tax; indirect taxation is outside of provincial jurisdiction. The new legislation will accomplish this, clearly establishing the collection and administrative provisions of the tax.

Mr. Speaker, four years ago the federal government lowered the excise tax on tobacco products by \$5 per carton of cigarettes and offered to match further provincial tax cuts up to \$10 per carton. As a result, all provinces east of Manitoba, except for Newfoundland, lowered their tobacco taxes.

Here in Saskatchewan we chose not to lower our tobacco taxes. We based this decision on the health risks associated with smoking and the concern that lowering the tax would encourage increased consumption of cigarettes, especially by young people.

Unfortunately, the federal differential tax structure across the country has created a large incentive for individuals to smuggle tobacco from eastern Canada to western Canada. We've been working with the other western provinces to deter this and we will continue to do so. However a price differential of about \$16 per carton with eastern Canada is a powerful incentive for smugglers.

Mr. Speaker, one way to combat smuggling is through what we refer to as marking programs. In 1994 most provinces, including Saskatchewan, introduced marking programs to help detect packages of tobacco that are marked for sale in one province but sold in another. Up until now the provisions for our marking program were contained in the regulations. Many of these provisions are now being moved to the new Tobacco Tax Act that I am asking the Assembly to consider.

In addition, Mr. Speaker, the enforcement provisions are being updated to comply with the Canadian Charter of Rights and Freedoms. Also the fines for persons found guilty of tobacco

smuggling are being increased to bring them more in line with fines imposed in other provinces.

In summary, Mr. Speaker, this Bill will mean more effective deterrents to smuggling. It will also mean clarification of the collection and administrative provisions respecting tobacco taxes. I believe this makes it a Bill worth supporting.

So I am pleased to move second reading of an Act to introduce The Tobacco Tax Act, 1998.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, just a few comments before I move adjournment on debate on this motion because I think this is an Act that we'd want to take some time to look at in a little more depth, especially when it comes to taxes, Mr. Speaker, and the intent of the legislation that is before us.

Now, Mr. Speaker, I know my colleague from . . . the member from Saltcoats is not going to agree with me when I would suggest that, as many people would suggest, that maybe strong, higher taxes would be more of a deterrent rather than lowering taxes or just . . . I believe the minister is talking about in this case administering fines to try and control the areas of smuggling in the province of Saskatchewan.

But it would seem to me, Mr. Speaker, when it comes to tobacco and the problems that arise as a result of the sale of the products, I can appreciate what the minister's talking about. Because certainly if we're going to maintain the tax in this province, as we have in recognition of the problems that arise from tobacco, and the medical problems that arise, and certainly the cost to the taxpayer, and the fact that by trying to maintain that, letting people know that it is a burden on the health system, we also are aware of the fact that if it we're a little higher, certainly people are going to go outside of the province to buy or purchase their product, and then it creates a problem in regards to the . . . (inaudible) . . . that may take place.

So the fines that are being levelled, whether or not they're enough and sufficient, I don't know, but I think it's something that we need to look at a little more closely. I believe this Bill as a piece of legislation is something to take careful note of and certainly is one that needs to be reviewed and looked at a little more carefully.

And with that in mind, Mr. Speaker, I would therefore move adjournment of debate.

Debate adjourned.

(1500)

#### STATEMENT BY THE SPEAKER

##### Error in Wording of Government Motion

**The Speaker:** — Before continuing, the Chair would like to bring to the attention of the Assembly an error that the Chair in fact contributed to in dealing with the previous motion moved by the Government Whip regarding the forwarding of the

transcript. I'd just like to advise the House of the error and be guided by your direction.

The actual wording in the motion forwarded to the Chair finished with the phrase, "on behalf of this Assembly, Mr. Speaker." I believe that the Whip meant to include the words, "on behalf of this Assembly by Mr. Speaker." And interpreting the intention as being a salutation, not a direction, in reading the motion into the record, I left off the phrase, "Mr. Speaker."

If it is acceptable to the House, I will simply direct that the record indicate that the motion end with the words "on behalf of this Assembly by Mr. Speaker." Is leave granted?

Leave is granted and the motion will be directed to be recorded as such.

#### SECOND READINGS

##### Bill No. 31 — The Enforcement of Judgments Conventions Act/Loi sur les conventions sur l'exécution de jugements

**Hon. Mr. Nilson:** — Mr. Speaker, I rise today to move second reading of The Enforcement of Judgments Conventions Act.

This Bill is a product of the Uniform Law Conference of Canada and is intended to be introduced in each of the Canadian territories and provinces. Its purpose is to facilitate the implementation of international conventions on enforcement and recognition of judgements which are concluded between Canada and foreign countries.

Rather than passing new legislation in Saskatchewan for each country with which Canada has entered into such a convention, this uniform Bill sets out a generic implementation process for these conventions. Under this process, as Canada completes new conventions with additional countries, the regulations under the Act can be used to bring the convention with that particular country into force and effect in Saskatchewan.

Mr. Speaker, the purpose of a recognition and enforcement of judgements convention is to provide a process whereby civil judgements that have been made by the courts in one country may be recognized and enforced in another country without requiring the parties to re-litigate the matter in its entirety. By allowing for the registration of foreign judgements and their enforcement in Saskatchewan, international business and personal relations gain greater certainty. Saskatchewan residents can avoid the high costs of having to restart litigation simply because the other party has left the country.

Mr. Speaker, the first expected application of this Bill will be to assist in the implementation of the convention between Canada and France on the recognition and enforcement of judgements in civil and commercial matters, and on mutual assistance in maintenance.

The Canada-France convention is somewhat unique in that in addition to recognition and enforcement of civil judgements, it extends to mutual assistance in maintenance matters. Under this convention, officials in Canada and France undertake to assist each other in the enforcement of maintenance orders. This is an important avenue of cooperation between common law

provinces such as Saskatchewan and the civil law system in France.

Prior to this convention, in most cases it would be financially impossible to seek to pursue a spouse who was avoiding maintenance by moving to France. With the assistance of this convention, it will now no longer be necessary to recommence litigation in France simply to enforce a judgement which has already been rendered in Saskatchewan.

Mr. Speaker, with the ever-increasing contact between Saskatchewan residents and foreign nationals, the Government of Saskatchewan is committed to facilitating international relations in a cooperative and rational way. By recognizing and enforcing judgements that comply with these conventions, Saskatchewan residents can avoid the duplication or multiplication of costs that pursuing a judgement in foreign countries can entail.

Through this general application legislation, the Uniform Law Conference of Canada has provided a mechanism to bring enforcement of judgements conventions into force in Saskatchewan without requiring new Saskatchewan legislation for each new country.

Mr. Speaker, I move second reading of An Act respecting Conventions between Canada and Designated Countries providing for the Recognition and Enforcement of Judgments.

**Some Hon. Members:** Hear, hear!

**Mr. Toth:** — Thank you, Mr. Speaker. Just a few comments in regard to the piece of legislation, The Enforcement of Judgments Conventions Act. And I will not attempt to give the French version of the legislation. I'll leave that up for the member from Regina Centre, I think.

But certainly, Mr. Speaker, in regards to the piece of legislation before us, I think what the minister is saying is, and what I'm hearing him saying, it opens up the doors for agreements between provinces or between provinces and international countries. And certainly when it comes to maintenance and maintenance enforcement, I can appreciate what the minister's talking about, because I would think the minister would even agree — even though we've been working together to come . . . draw up interprovincial agreements — there are still a number of problems that arise when it comes to following through on maintenance agreements . . . as I say, we start to work interprovincially.

And the fact of working . . . if we've got problems interprovincially, the problems just are compounded when you started working across international borders and boundaries. And certainly this piece of legislation just expands some of the discussion and debate that has taken place over the past few years in regards to other agreements with other international partners and certainly countries and states in, even as we see here, in the United States of America.

I think I can appreciate where the minister's coming from and I can agree with a number of the suggestions and the intent of the piece of legislation — what we're hoping to achieve.

At the end of the day I guess, Mr. Speaker, I would also, and we hope to and we look forward to addressing this as we, as we proceed in debate on the piece of legislation and certainly in Committee of the Whole.

While there is . . . while we acknowledge where the legislation is going, the intent of the legislation, there is still some concerns as to how we certainly put together the mechanisms needed to pursue and to follow through on the intent. I think what the minister is saying, the fact that . . . this is a first step I believe, when you look at even the agreement with the nation of France at this time. This is a first step. There's a lot to be accomplished. But certainly it addresses one of the major concerns and that's costs in trying to pursue . . . and this opens up and frees up that area of debate.

But, Mr. Speaker, there are still a number of questions in the area of maintenance and maintenance enforcement that need to be addressed and we look forward to addressing those concerns with the minister as we get not only into debate on the piece of legislation, the maintenance and enforcement Act . . . or The Enforcement of Judgments Conventions Act that we have before us, but certainly as well when we get into estimates and get discussing some of these issues with the minister and his department officials when they're here before us.

However, in order to allow us to take a little more time and to review the legislation before us in a little more depth, I at this time move to adjourn debate.

Debate adjourned.

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 20

The Assembly resumed the adjourned debate on the proposed motion by Hon. Mr. Mitchell that **Bill No. 20 — The Election Amendment Act, 1998** be now read a second time.

**Mr. Gantefer:** — Thank you, Mr. Speaker. For the second time in three years we're debating amendments to The Elections Act. If you throw in last year's debate on The Constituency Boundaries Act amendments it's, I guess, three years out of three that we debated legislation having to do with our electoral system. One of these years I actually do hope that we get it right.

Mr. Speaker, whenever we make changes to the electoral system of this province, we have to make those changes with the goals of fairness being the utmost in our minds. Without a system that is seen to be completely fair by the people who are governed under it, respect is soon lost for the entire electoral system and then for the system of government itself. In a democracy we simply can't afford to have that happen.

Despite what people may think of the jobs we're doing as MLAs (Member of the Legislative Assembly) or what their perception of politicians is in general, we must guard against having the people lose trust and respect for the system that brings us together in this Assembly. That's why it's so



important that we do take a look at the electoral system once in awhile to ensure that it continues to operate in a way that is fair to all who participate in it — those of us who are chosen to put our names forward as candidates and for those who exercise their right and cast a ballot in provincial elections.

Mr. Speaker, the main intention behind The Election Amendment Act, 1998 was certainly born out of good intentions, intentions that we can support to a large extent. Of all the people in this province who should be freed of political interference, one would hope it would be the Chief Electoral Officer. After all this is a person who is in charge of making sure that elections in this province are run fairly and above board and reproach at all times.

He or she is charged with ensuring that no one political party has an unfair advantage over the others and that no candidate has an advantage over any other candidate. The Chief Electoral Officer is a person who is responsible for deciding if all rules have been met by all political parties and of all the political candidates.

For these reasons it should come as no surprise that for some time now there has been a concern in Saskatchewan over the fact that the Chief Electoral Officer in Saskatchewan is not an independent officer of this legislature. Instead, the holder of the office is at this point an employee of Executive Council, the Office of the Premier.

Not many members of the Saskatchewan public know this, Mr. Speaker, and certainly I didn't know it until I became a member of this Assembly. But that's the way it is. Saskatchewan is currently the only province in Canada where this is the case. And at the federal level, the electoral officer is completely independent from the government of the day, as it should be.

And so now, after years of delay, the Saskatchewan government is getting on the same page. With this Act, the Chief Electoral Officer will become fully independent from the Premier's office, and of course, Mr. Speaker, we support this fully.

The government has contended all along that the Chief Electoral Officer has been independent for many years — in fact, if not in theory. And it may be true that all Chief Electoral Officers in the past have conducted themselves completely above board in all cases. I don't know. I haven't been in politics long enough to make that determination.

However I do know, Mr. Speaker, that in the eyes of the public, perception is often the reality. And when you have a person listed as an employee of the Premier's office, the perception is that he or she is beholden to the Premier and to the government for that job.

Clearly this is inappropriate and it puts the Chief Electoral Officer in a bad position, because even if he or she is absolutely professional in how they carry out their duties, at any time they can be accused of favouring the government because of their status as a member of the Premier's staff. This has got to change and this Bill intends to do that.

With the passage of Bill 20, the Chief Electoral Officer will in fact become an officer of this legislature, appointed through

resolution of this legislature. This puts this position on par with the Legislative Clerk or Legislative Counsel in that they are completely independent from the whims of the government, and so we are completely on board with this aspect of this Bill.

(1515)

What we do have something of a concern with is with the process that will be put into place for the selection of the new Chief Electoral Officer and future electoral officers, because there is nothing in the Bill that guarantees input from anyone. We are not told in this legislation how the resolution that is put before this House comes about.

Now I understand that the Minister of Labour has had discussions with both opposition parties about putting together an all-party committee to actually put the process in motion for the selection of the new Chief Electoral Officer. This understandably has to be done in the near future, given that the next election may not be all that far away.

And while we're pleased that it does appear that meaningful consultation may be taking place with all the parties in the House this time, there is nothing in the legislation that guarantees that this will always be the case. It's quite reasonable to assume that there could be a circumstance in the future, near or far, that a resolution regarding the appointment of the Chief Electoral Officer is put before the legislature with no consultation with opposition members at all.

Again while this doesn't appear to be the case at all this time, I don't see anything in this Bill that would prevent that from happening sometime in the future, and so that is a concern for us.

However, beyond that, we have another, far more critical concern. The government and the Minister of Labour say they want to go out of their way to make sure that the electoral system in Saskatchewan is absolutely above question in quality of fairness.

Well, Mr. Speaker, it doesn't appear to us that they have gone all the way. Because while they're finally willing to transform the Chief Electoral Officer into an officer of the legislature, the provincial cabinet will still exercise an undue influence on the electoral system. This is because the cabinet will continue to control every other appointment within the electoral system outside of the electoral officer and the assistant electoral officer.

The cabinet will continue to appoint the returning officers in each constituency directly, and indirectly control who is appointed deputy returning officers, elections clerks, and poll clerks — will also indirectly control those appointments. If the government truly wanted to remove all politics from Saskatchewan's electoral system, why would it chose to retain a tight fist around these appointments?

These jobs are traditionally ... have been handed out by governments as rewards for party loyalty, not for any particular organizational skills those who are appointed might have.

Again, Mr. Speaker, when we are talking about something as fundamental as the electoral system, perception can often

become reality. What should the public think about the electoral system when they see fervent supporters of the government given these jobs almost exclusively. What are people to think when they know that these positions haven't been publicly advertised, but instead given out as partisan rewards.

It's true these aren't high-paying, all-powerful positions like heading up Crown corporations, Mr. Speaker, but they are viewed by many party activists as plums that belong to them. Given the NDP's expertise in the area of patronage, these positions may be looked at as small potatoes compared with some of the other rewards the government has become famous for handing out.

But given the NDP's current wish to take out some of the perceived partisan bias in our electoral system by making the electoral officer an officer of the legislature, their decision to keep control over all other jobs in the system is hypocritical to say the least.

And it's not like these are unimportant positions. During the election period it is critical that we have people in place who can perform their duties adequately and to the benefit of all of those running and all voters.

I'm sure there are members in this House today who have had at least some experience with an electoral officer at the local level, be it a DRO (deputy returning officer) or enumerators or others, who really weren't up to the task assigned to them. Yes, many handled their roles in the election very well. However, others haven't. And this, at least in part, is because they weren't hired because of any kind of skill they brought to the job, but rather because of their loyalty to the party in power.

In all fairness it's not only in Saskatchewan that we see this. At the federal level, once again, nearly every election officer hired in the riding are hired because of their loyalty to the government.

It's time that Saskatchewan set the example and took the politics out of every aspect of the electoral system. I challenge the government to do this extra step and hand the appointment of those electoral officers to the discretion of the now soon-to-be independent Chief Electoral Officer. I can't believe that the government will be able to give us one good reason why this can't be done.

Mr. Speaker, one other issue I wish to speak on today before I move to adjourn debate, speaks once again to the whole notion of fairness to all political candidates and all political parties in Saskatchewan. Currently, two of the three political parties on the scene today have the advantage of political tax credits. That's because they filter their donations through the auspices of their federal cousins in Ottawa. Saskatchewan is only one of two provinces in Canada who operate this way. Donations that are intended for political parties are sent first to Ottawa and then sent back to Saskatchewan, thereby making them eligible for federal tax credit. But if you are an independent party that is not beholden to federal interests, you don't have that option.

Yesterday we saw a new political party formed in Saskatchewan, a new left-wing alternative. They may shortly meet all the requirement, to become a full-fledged political

party of Saskatchewan. Yet unlike the old-line . . .

**The Speaker:** — Order. Now fortunately there will be plenty of opportunity to enter into debate on this if members choose. And I would encourage all hon. members, if they want to have their remarks be understood, to put them on the record and not shout them across the floor.

**Mr. Gantefer:** — Thank you, Mr. Speaker. It's obvious that members opposite are very concerned about the fact there could be a new political party on the left that will indeed split the votes on the left instead of on the right. And so we could actually see some interesting developments in Saskatchewan politics.

However, they may shortly meet all the requirements to become a full-fledged political party of Saskatchewan. Yet unlike the old-line parties, they won't be able to offer their contributors a single tax credit. And, Mr. Speaker, if I'm not mistaken, another new political party, filled with fresh thinking and new ideas, that was formed last August, is in the same boat.

Mr. Speaker, one of the reasons . . . one of the results of filtering these donations through federal parties is that the two old-line parties are able to easily hide the identities of their contributors. They're able to circumvent the disclosure requirements here in Saskatchewan. I know the member from Melville in particular will be appalled by this practice.

Mr. Speaker, two years ago the government majority pushed through the new Election Act. Within that Act was the provision for provincial tax credits for provincial political parties. It was passed by the government so I assume it was supported by those members over there. Yet two years later this provision hasn't been proclaimed. Why, I wonder.

I don't think that's too hard to figure out, Mr. Speaker, because the system as it now stands, entrenches a bias into the system that works to the advantage of the two old parties and works against citizens of this province who want to begin new movements — such as those who announced the new Green Alliance Party yesterday.

Mr. Speaker, if the electoral system is seen to be fair, all parties and all potential parties must be on an even playing-field. If the government doesn't wish to proclaim this provincial tax credit provision that's fine, but then to keep the system fair it must at the same time bring forth legislation that stops political parties from filtering their donations through Ottawa for the purposes of collecting the tax credit and hiding the identity of their donors. If some parties aren't allowed to offer tax credits, no party should.

Mr. Speaker, I know members of the legislature will want to take some time to consider what I've said very carefully and to see the wisdom of my remarks, and so with that I would like to move to adjourn debate at this time.

Debate adjourned.

#### Bill No. 10

The Assembly resumed the adjourned debate on the proposed

motion by the Hon. Ms. MacKinnon that **Bill No. 10 — The Saskatchewan Opportunities Corporation Amendment Act, 1998** be now read a second time.

**Mr. Bjornerud:** — Thank you, Mr. Speaker. I just want to speak for a few minutes on this Bill since the whole topic of economic development is of prime concern to the people of my constituency.

For the most part, Mr. Speaker, this government's economic development plans for the province have been a failure. While they constantly state that there are more people working in Saskatchewan today than when they took office, what kind of jobs have they created? — primarily low-paying, low-skilled, service industry jobs.

And we must remember, Mr. Speaker, that all across this country in the last number of years there's been a tremendous growth in the job market in Canada, and I actually believe if we took the comparisons between Alberta, B.C. (British Columbia), and Manitoba, and Saskatchewan we're falling far behind our neighbours. The kind of jobs that usually come with a mop and a paper hat are the ones we're creating, Mr. Speaker. There is no way to build for the future of this province doing that.

We are heading into a time when it's going to become harder and harder to sustain the programs and services we have in Saskatchewan. Our population is getting older very, very quickly. And we are not attracting and keeping high-skilled, well-paid workers that are absolutely necessary if we are to have a high tax base sufficient enough to ensure important government services are protected.

Now the government says that it is trying to overcome this problem by investing so heavily in research and development parks, the type of which we see in Saskatoon and which we'll soon see in Regina. And if these parks are successful and do attract more high-tech industries to our province, this is certainly a positive, Mr. Speaker.

But what has the government done in order to make Saskatchewan more attractive to these types of businesses and industries in the first place? What have they done to make Saskatchewan a more attractive place for high-skilled workers? Not much, Mr. Speaker.

Our taxes are still nearly the highest in the entire country. The recent 2-point drop in the Saskatchewan basic tax is simply a drop in the bucket. We are still miles behind our neighbours in Alberta.

If you had to choose between a job in Alberta and a job in Saskatchewan, where would you really want to raise your family? In a province with low income taxes and zero PST (provincial sales tax), or in Saskatchewan where the government virtually taxes everything that moves and many things that don't move. The choice seems obvious.

If this government were truly committed to economic development, why doesn't it at least acknowledge that its high tax policies are the single most detrimental thing when it comes to economic development in the province. And an example, Mr.

Speaker, would be Maple Leaf Foods that happened to bypass Saskatchewan on its way to Manitoba just because of high taxes.

When will they realize that when they begin to leave money in the pockets of the taxpayers, the economy is sure to become stronger. The people of Saskatchewan, and not the government, know best how to spend their own money. And if you think otherwise, I have just two words for you — Channel Lake.

In terms of this Bill, Mr. Speaker, I find it strange that when the government first unveiled SOCO (Saskatchewan Opportunities Corporation) as a replacement to SEDCO (Saskatchewan Economic Development Corporation) in '94, one of the primary differences between the two was that SOCO would not have a properties division. This change was seen as a positive by the business community since SEDCO frequently competed with private developers in selling space in their bloated property portfolio.

Now they're whistling a new tune. This Bill gives SOCO the freedom to go full bore into capital construction projects. The minister promises us this provision has only been put into the Bill to take into account highly specialized buildings like an R&D (research and development) park. When SEDCO was alive, one of its biggest money-losing divisions was its properties division, Mr. Speaker, since rental space is perhaps the most vulnerable area when the economy takes a downturn.

And that's when the government will essentially be here, Mr. Speaker, it will be the landlord.

We have not been told of any commitments for tenants in the new development in Regina. It's going to take more than just a building to attract these people here, and the government's commitment for attracting high-tech industry to Saskatchewan seems to stop with the pouring of the concrete. Once again it goes back to the overall economic atmosphere in this province, and Saskatchewan has an atmosphere that is costly, and it is also stagnant, Mr. Speaker.

(1530)

And if the truth be told, Mr. Speaker, if Saskatchewan were an attractive place to do business, private developers would be stepping up to the plate and developing the R&D parks.

Developing property and renting out office space is a job for the private sector. I get a little worried when this government, or any government for that matter, gets too involved in business. We've seen that in the Channel Lakes thing, we've seen it in Guyana, we see it in the NST fiasco. But you know, no matter how hard the NDP tries to paint itself as a fiscally conservative government, their roots still show through.

Last year we learned they want to develop the potato industry in Saskatchewan. And there's certainly nothing wrong with that, except of course they had to set up a Crown corporation to accomplish this. Once again they simply couldn't let the private industry and the farmers who know the industry best, do their own thing. Instead we got SPUDCO, which of course is in direct competition with the private potato farmers which already we had in Saskatchewan.

Once again it comes back to my point, Mr. Speaker. The government should keep its nose out of things, step aside and let the private sector do its thing. Let the people who know what they're doing create the jobs in this province. The government's role is to create an atmosphere where they can afford to do that, and so far the NDP has been a miserable failure in this regard.

I at this time then, Mr. Speaker, would like to adjourn debate. Thank you.

Debate adjourned.

## COMMITTEE OF THE WHOLE

### Bill No. 24 — The Wascana Centre Amendment Act, 1998

**The Chair:** — I would ask the minister to introduce her officials before we get started, please.

**Hon. Ms. Crofford:** — Thank you, Mr. Chair. With me today is Jim Brickwell, senior policy analyst for the Department of Municipal Government.

#### Clause 1

**Mr. Bjornerud:** — Thank you, Mr. Deputy Speaker, and good afternoon, Madam Minister. I'd like to welcome your officials here this afternoon. I only have a few questions, Madam Minister, on this Bill.

Clause 3, amending the preamble. This change inserts the words "research and development" into the preamble to reflect the role of the University of Regina. And correct me if I'm wrong, but the Wascana Centre Authority is basically a park management board like the Meewasin Valley Authority. What public benefit is there to inserting the words in the preamble? And how, if at all, will this change the operations and mandate of the Authority?

**Hon. Ms. Crofford:** — I appreciate the opportunity to explain what the purpose of the land assembly is. Really what this is, is three partners deciding to assemble their land together so that, as they undertook development, there would be consistency of signage, of landscape, of development profiles within the area.

So it's not a park in the sense of a park; it's more like a land assembly where people have agreed that for the sake of common identity and common purpose, to try to keep as much attractive park land within that land assembly . . . But it's really three partners bringing all their developments, their buildings, and their lands together to create an area that has an identity.

**Mr. Bjornerud:** — Thank you, Madam Minister. In clause 4(1), amending subsection 4(4). Originally this section made reference to the University of Saskatchewan. The explanatory notes describe this as a transitional provision. Presumably the transition referred to is the University of Regina change from a campus of the U of S (University of Saskatchewan) to a separate university.

However, that all took place over 30 years ago, Madam Minister. I'm kind of wondering why it is just being changed now. Will this change or enhance the influence of the U of R

(University of Regina) on the Wascana Centre?

**Hon. Ms. Crofford:** — Generally when legislation is changed, one uses the opportunity created by needed changes to clean up other things that have been sitting around in the Act for a long time. We usually don't bring Acts forward just to clean them up. It's if there's something that's of substantive importance. So because other things of substance were coming forward, it was decided to clean up all the old loose ends in the Act at the same time.

**Mr. Bjornerud:** — Thank you, Madam Minister. Clause 6, amending section 9. This section allows the Authority to delegate its powers to any officer, employee, or committee. And this begs the question, Madam Minister, does this mean that the Authority does not have to meet or make any decisions at all?

**Hon. Ms. Crofford:** — No. The kind of things that quite often occupy some of the time of the Authority are for example approving where a particular stop sign will go or approving the height of a curb. And we feel that there are certainly people within the bureaucracy of the Wascana Centre that are quite able to do those kinds of things and we'd prefer to keep the board onto discussing matters of policy, the direction of the centre, the development plans for the centre rather on the details.

So this is really just an ability to give the people that are professionals there to handle the decisions that are clearly within the policy framework.

**Mr. Bjornerud:** — Madam Minister, really though, doesn't this go too far in removing the Authority from the responsibilities that it has?

**Hon. Ms. Crofford:** — I can go through in detail all the various different things it might be, but the whole Authority would have to pass a resolution in order to delegate any of its authorities, and certainly there would be no thought of delegating authority that went beyond existing policy or regulations. It would only be in the areas where the rules are very defined and where the answer would be fairly straightforward that we would think of delegating that authority.

I can go through the list if you want.

**Mr. Bjornerud:** — Maybe if you could.

**Hon. Ms. Crofford:** — Okay. The Authority may:

- (c) co-ordinate or control the use, development, conservation, maintenance and improvement of public lands in accordance with the master plan;

So all of these things are first of all agreed to in a master plan before they're actually implemented. We can:

- (d) accept donations of funds from the public and acquire property by gift, purchase or any other manner;
- (e) hold or administer property or acquire by lease, licence or otherwise the right to occupy and use property;

We can:

- (f) sell, grant, convey, lease or otherwise dispose of property;
- (g) construct, maintain or operate any park, square, improvement or service facility;
- (h) subject to the provisions of this Act relating to landscape maintenance, service maintenance, landscape construction and service facilities:
  - (i) maintain, develop or improve, or build on, any authority land;
  - (ii) with the consent of a participating party, or of its agent or representative, maintain, develop or improve, or build on, any public land, other than authority land, owned by that participating party;
- (i) without limitation to the powers contained in section 65, upon the request and at the expense of a participating party, maintain, develop or improve property owned by a participating party and situated outside Wascana Centre;
- (j) on authority land, establish, maintain and operate, or grant concessions for the operation of places of entertainment, amusement, recreation or refreshment or other places of public interest or accommodation
- (k) invest for its benefit all or any sums of money belonging to it and available for investment in:
  - (i) public securities of or securities guaranteed by Canada or any province of Canada;

So those are our powers. But again, I would say that it wouldn't be our intention to delegate powers where there isn't a very clear policy or regulation that outlines how a certain thing is to be done. And the problem we're really trying to deal with here is the problem of things like parking signs and fairly straightforward things, not any kind of policy matters.

**Mr. Bjornerud:** — Thank you, Madam Minister, and I might have missed this, but how actually will the employees be held accountable for the decisions they make on behalf of the board? Is there an accountability set up in there?

**Hon. Ms. Crofford:** — It's probably one of the strongest accountability frameworks because we have a master plan that's developed, and once that plan is adopted, no change can be made to the plan without a motion of the board. So that would really be, I think, the main way of doing it. And the board does meet on a regular basis and there's a report to the board on any movement on the master plan, or any request to change the master plan, or any request that come forward from the community for an event to be held in the park, or those kinds of things.

So I think that the board is actually very involved in all of the decisions and it's our goal really just to get rid of some of the very straightforward stuff on our plate.

**Mr. Bjornerud:** — Thank you, Madam Minister. How does this compare with the provisions of the Meewasin Valley Authority? Are they comparable?

**Hon. Ms. Crofford:** — I think the main difference between Meewasin and the Wascana Centre is a slightly different relationship in each instance with the partners, but the general powers and provisions and intention is pretty much the same.

**Mr. Bjornerud:** — Thank you, Madam Minister. Clause 7, amending subsection 12(1), this clause allows the Authority to extend its territory through agreement with neighbouring municipalities. Are any such expansions being contemplated at this time?

**Hon. Ms. Crofford:** — I think you'll like this one. What this is all about is, we used to have the power essentially to expropriate to add land to the Authority, and now we would need the permission of the RM (rural municipality) in order to do that. Let's say they decided they'd like us to add a watershed or something into the urban wetland area of the park; that would have to be done with their approval.

**Mr. Bjornerud:** — Thank you, Madam Minister. I'm sure the municipalities are somewhat glad to hear that.

Clause 18, adding new section 53, and I believe that probably, Madam Minister, this is the meat and bones of this Act. It changes the funding formula for the Authority from an assessment based one to straight grants. The same change is being made to the Meewasin Valley Authority, I believe, so we have many of the same questions under that Bill.

We support this long overdue change, and the old assessment based formula was clearly deficient. This was evident by the fact that it had to be amended every year to maintain adequate funding. However, I wonder how the old reassessment would have, you know, would have changed the old formula. What would the Authority have received from each of the partners this year under the old model? Do you have any idea what that would have been?

**Hon. Ms. Crofford:** — In a general way I can say it would have been more. One of the reasons why we weren't able to go with the assessment based funding was that every year it would have required us to add more money into the Authority. And during a time when money was tight, although the park is very important, we held the line on spending in the park. So the purpose of this is really to say that there's a budgeted amount of money, and so that when assessment is done it doesn't keep increasing the costs and the money that has to flow to the park to operate it.

If you want the actual figures, we've got them here. What we actually gave from '93-96 was 782,000, the province; 426,500, the city; and 213,300, the University of Regina. And in 1997 the assessment formula would have moved it from 782,000, as an example, for the province, to 1.156 million. So you can see it would have been quite a dramatic difference.

And as much as the Wascana Centre Authority would have appreciated having those increased operating funds, that wasn't where the decision was to spend the money.

**Mr. Bjornerud:** — Yes, exactly. Thank you, Madam Minister. The new section also allows the participating parties to cover budget overruns proportionately. What has been the Authority's record for staying within budget? Has it been fairly good to this point?

(1545)

**Hon. Ms. Crofford:** — Yes. I would say that they have a very excellent record of managing their budget and taking action if it looks like they can't manage with what they've got.

**Mr. Bjornerud:** — Thank you, Madam Minister. That's all the questions I have at this time.

Clause 1 agreed to.

Clauses 2 to 27 inclusive agreed to.

The committee agreed to report the Bill.

**Hon. Ms. Crofford:** — Yes. I'd just like to thank Jim Brickwell, our official, for joining me here today.

#### **Bill No. 28 — The Meewasin Valley Authority Amendment Act, 1998**

**The Chair:** — I would ask the minister to reintroduce the official before we start.

**Hon. Mr. Mitchell:** — Yes, thank you, Mr. Chair. I'll reintroduce Jim Brickwell of the Department of Municipal Government, who is the senior policy analyst there.

#### **Clause 1**

**Mr. Toth:** — Thank you, Mr. Chairman. Mr. Minister, just looking at this piece of legislation, and it seems to me, Mr. Minister, a question I've got on the top on my mind that I'd like to get off my chest first of all, is we go through this process almost every year. And what I'm wondering and the question I'm going to ask you, Mr. Minister, is, as far as the full intent of the Bill, is there any way of maybe addressing some of the issues that we tend to do on an annual basis? Is there a way of simplifying the process?

Do we need to have the Bill, a review of the Bill, a reassessment appear every year? Or can we find a way and a mechanism that indeed puts in place the tools that are needed for Meewasin Authority to continue to function without having to appear before the Assembly for basically, in many cases, just minor changes to the way the Authority acts? And in specifically regarding the funding, so that the Authority knows exactly what it's got to work with.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, that is, I say with respect, a very, very good question because that's exactly what we're trying to accomplish here. We've had to come back year after year because, as in the case of the Wascana Authority, the funding formula produced results that were beyond our fiscal ability to carry. So we came back and amended it year by year. And what we're trying to do here is get away from that.

So we're trying to . . . we're moving away from the assessment based formula and we're moving to a commitment to pay a specific sum of money on behalf of the government. At the same time we're defining the obligations of the city of Saskatoon and the University of Saskatchewan, with a provision that those amounts would be reviewed every five years. And that would mean that so far as funding is concerned, if there was a review that suggested there should be more money payable, then we'd perhaps amend it after five years, but we won't have to come back year after year any more.

**Mr. Toth:** — Well thank you, Mr. Chairman; thank you, Mr. Minister. I appreciate those comments because it seems in many cases what we're doing is somewhat tedious. And I'm sure for the Authority as centres themselves, both Wascana and Meewasin, this is just somewhat a little inconvenient for them as well. Just knowing that they're already facing their fiscal year, they've had to make some plans assuming that they're going to have access to X number of dollars but not specifically aware, other than directives coming possibly from municipal governments saying that we're hoping to achieve that same area of level, but when we move the legislation forward we will indeed have that.

So I guess in addressing that concern and certainly moving it from the assessment management area, the other question I would have, you talked about a review every five years. Are you saying, Mr. Minister, however, we would still, if there was a request for further funding, that there would be an amendment to the legislation that would be brought up in any specific year. Or are you proposing another means of addressing that so we don't have to wait for the process of legislation to address that question?

**Hon. Mr. Mitchell:** — The answer is that we are seeking to build into this amending Bill a capacity to pay additional amounts to the Authority if it's considered appropriate in any year. So it's simply be a matter of budgeting the money as far as the province is concerned, and pay additional amounts without having to come back and amend the Bill.

And the review that I mentioned earlier is to take place at least once every five years. It could be done before the expiration of five years.

**Mr. Toth:** — So thank you, Mr. Deputy Chair. So, Mr. Minister, what process are you going to go . . . or how are you going to go about putting this in place? Are you going to have a dollar figure that allows the Authority or allows . . . or who are you going to allow to make that decision? I guess what I'm saying, number one, is it going to be a dollar value that they would be able to work within over and above at a certain level? And then who would be responsible to make that decision and how would that decision be arrived at?

**Hon. Mr. Mitchell:** — The base level will be set out in section 56 of the Act as it will be amended if this legislation is passed. And the base level for the government is \$740,169 in each fiscal year. And the amount for the city and the university is also set out in subsection (1) of the proposed section 56.

Whether amounts in addition to that would be paid would be the result of a consensus being reached between the partners — the

government, the city, and the university — that additional money should be put into the Authority. No such discussions have taken place and we, at the moment, don't anticipate any.

But circumstances change and the flexibility is there to put in additional amounts without us having to go through the procedure we've been going through for the last, I think, five or six years. So we're trying to get away from that and establish a more flexible approach to it.

**Mr. Toth:** — I thank you, Mr. Minister. Mr. Minister, I understand in clause 3, we talk about . . . I believe you made some comments about modernizing some of the language. And what I'd like to know, exactly what you're talking about. I think we're talking about changing some of the words from he . . . changed to he or she and chairman to chairperson, and how many times does this occur in the Bill and what specifically is the reasoning for it?

It seems to me that may be some waste of time in those minor changes. I think the expressions of he, generally in most cases, is still taken as meaning either gender. And I would wonder specifically why we're talking about these changes and the extra costs that would be incurred in just going through the legislation to make those changes.

**Hon. Mr. Mitchell:** — We of course wouldn't open the Act just to change that kind of language and make it gender neutral. But when an Act is opened in the manner that's happening here, then it is automatic these days that the draftsman will make the changes to make gender neutral various words like chairman and other . . . and that kind of language. So it happens automatically. I couldn't tell you how many times it occurs in the Act, but wherever it does occur, it becomes the chairperson and vice-chairperson.

**Mr. Toth:** — Mr. Minister, as well I believe in clause 4 we see the Authority having a quorum of just six members. Mr. Minister, how many members are on the Authority? And I believe if . . . what the clause is saying that you need six members in order to make a decision. First of all, how many members are on the Authority and have, in the past, we found that the Authority has operated under the guidelines of the legislation about the fact that six members must be present whenever a decision is made?

**Hon. Mr. Mitchell:** — There are 12 members of the . . . on the Authority. As we understand it, they are operating according to what we propose in the amending legislation. So it may be that they haven't always been acting in accordance with the existing legislation. We just don't know. It's never been a big issue and it has not ever been raised I think as a problem.

But here we thought we would give them a more flexible regime in which to operate and set the quorum and then allow a majority vote of that quorum to decide matters, as happens in the case of I venture to say all boards or most boards.

This request to make the legislation conform with the long practice of the board was requested by the board, and we're accommodating that because we think it's reasonable.

**Mr. Toth:** — Mr. Minister, at the end of the day who is the

board responsible to — is it Municipal Government that Meewasin Authority board is responsible to?

(1600)

**Hon. Mr. Mitchell:** — The board has to answer to three partners — the province, the city, and the university. I happen to be the minister responsible, having been so appointed by the Premier. But the budget for the Authority is contained within the Department of Municipal Government. It's not always the most convenient arrangement but we've managed to make it work, and that has been the case for some 25 years now or so. It works. And so if it ain't broke, don't fix it.

**Mr. Toth:** — I guess one of the reasons for the question — when you introduced your official as being from Municipal Government and recognizing your portfolio of Labour, I wasn't quite sure how the two mixed and mingled other than you coming from Saskatoon, and that might be appropriate. So that's one of the reasons for the question.

Mr. Minister, we have in clause 5 setting out quorum for an appeal board of two, and I believe the appeal board is made up of representation of the city, province, and the university. Of course, it would be appropriate if you've got three — at least you would have a majority available for an appeal.

What I would like to know, Mr. Minister, is what specifically does the appeal board deal with, and what types of issues may be brought to the appeal board or questions that may be brought to . . . or raised for the appeal board to address?

**Hon. Mr. Mitchell:** — The board, the appeal board is a three-person board consisting of one member appointed by each of the partners, and we are proposing that a quorum be any two of those.

The jurisdiction of the board is set out in the existing legislation in section 29.2. And the board is the authority to which you can go if you feel that the Meewasin Valley Authority has misapplied the development plan in relation to the application, or if anyone feels aggrieved with respect to any terms or conditions which were attached to an approval by the Meewasin Valley Authority on an application that is affected by the development plan. The appeal board then hears those appeals and decides them.

**Mr. Toth:** — So, Mr. Minister, do I understand then that when you talk about the appeal board and representation from the city, province, and university, this board is separate from the board or the Authority. And if there is a grievance, if someone comes to the board with a grievance that they're actually dealing with if it's referred to this appeal process, they're actually being referred to individuals who are separate from the Authority or the Meewasin Valley, the Authority board?

**Hon. Mr. Mitchell:** — Mr. Chair, the answer is yes, they are separate from the MVA (Meewasin Valley Authority) board.

**Mr. Toth:** — Mr. Minister, I understand as well that in clause 6 it streamlines setting up dates for appeal hearings. In the original Bill the appeal board itself set the date. This has now been given to the chairperson or the chairperson's designate. In

what way do you see this speeding up the process of administration and certainly the hearing of appeals?

**Hon. Mr. Mitchell:** — Under the old Act the board was in the unfortunate position of having to call a meeting in order to set a hearing date, and it just seemed to be unnecessary and wasteful. And so the changes simply allow the Chair to set the date. No doubt the Chair will do it in consultation with the other members of the board to ensure that there will be a quorum when the appeal board meets.

**Mr. Toth:** — So basically, Mr. Speaker, or Mr. Minister, what you're saying is the Chair still has and consults with . . . just saves another process of calling a meeting to set that date, but in consultation the Chair can determine what's most appropriate for the other board members in getting together.

Clause 6(4) I believe requires the appeal board to render a written judgement within 60 days. Before that, no time limit was stipulated. Has this flexibility been abused in the past? Have you found, Mr. Minister, that some of the decisions have been delayed further? Is this something that comes from the Authority and from the appeal board itself as a means of guaranteeing that the process is managed and handled and appeals are dealt with quickly and fairly?

**Hon. Mr. Mitchell:** — We are not aware of any situations where decisions have been inordinately delayed. As far as we are aware, this will not impose any onerous obligation on the board. In other words, they're doing it now.

But in reviewing the Act, when we knew we were going to have to amend it, we saw, our officials saw that there was no requirement as to when the decision would be introduced. So there almost always is with respect to this type of board, so they introduced this just to ensure that it doesn't happen that decisions are inordinately delayed.

**Mr. Toth:** — Thank you, Mr. Minister. I certainly agree. Now is the time to do it while we're debating it, coming back to my original question rather than finding next year oh, we maybe should have addressed this area and we're back into the full debate on that. So I thank you for that.

Mr. Minister, when we look at the funding formula and the fact that we've . . . that this piece of legislation is moving from an assessment based one to a straight grant, if it were left under an assessment based formula, first of all, what would that have cost us, based on the assessment? Or are assessments set, based on what the assessment of property is — I guess you would say the mill rates. How were the mill rates set prior to, and if this was continued to operate under the assessment process, how would that have affected the funding for Meewasin Valley Authority?

**Hon. Mr. Mitchell:** — In Saskatoon, if we had not frozen the funding as we have been doing over the past several years, we would be paying about a million dollars more to the Meewasin Valley Authority — almost exactly a million dollars more. That would be split between the three partners. But that would be the effect of it.

**Mr. Toth:** — Mr. Minister, I have a question that needs to be

asked. Does this set a precedent for other agencies, especially with this whole question and debate over assessment when you . . . for some Authorities, like in the case of Meewasin, Wascana, where we've set a specific grant level because of the fact that with the changes to the assessment formula and going by mill rates, if you were to try and address them fairly, then you would have to have separate mill rates for each institution — or in this case the Authorities here or otherwise — like you say, yes, you'd have been facing major increases.

As a result of the changes here, do you see this being used by other large groups, organizations, or parks in addressing some of their concerns in suggesting that maybe we should have a specific grant, a level grant level as well?

**Hon. Mr. Mitchell:** — I've heard no discussion about that at all, so as far as I'm concerned no consideration is being given to anything like that.

We were moved here by the fact that we've been coming back year after year after year with these small, non-controversial amendments. We were not moved by wanting to get away from an assessment base. In other words, if there'd been lots of money around I suppose that the original formula would have continued and indeed there would be the kind of increases we spoke about a moment ago.

But we were just trying to get away from this — your word was "tedious" — repetition of the same kind of Bill every year, and not really worried about the assessment part of it at all.

**Mr. Toth:** — Thank you, Mr. Minister. Mr. Minister, in regards to — and I don't disagree with the fact that we've gone to . . . (inaudible) . . . I think most taxpaying public certainly would look at it; number one, they appreciate what the Meewasin Valley has done for the city of Saskatoon, and certainly Wascana Authority here in Regina.

I think when you talk to the public, it certainly enhances — both cities are enhanced as a result of the two Authorities and the different functions they provide — the area for not only picnics but recreation, and just preserving some of our heritage and some of the natural heritage. Certainly along the river bank in Saskatoon is an excellent . . . I've seen it myself.

I just think that's really excellent that we are doing that. Otherwise there's no doubt that as the city expands a lot of that would be eaten up by development, and just takes away from some of the beauty that enhances the city of Saskatoon.

A question I would have, have there been periods where Meewasin has come back to, back to government or to Municipal Government as far as overruns? Have you had any of those concerns in the past? If there have been overruns, how were they dealt with in the past and how will they be dealt with in the future?

**Hon. Mr. Mitchell:** — The Meewasin Valley Authority has an excellent record of operating within its budget; so that they haven't had to come back to us and to our partners for increased funding in order to get through a year. Naturally they have petitioned us from time to time to increase the funding. We haven't been able to do that; we've been quite firm about it.



From time to time also they have special projects. The acquisition of a parcel of land becomes possible and they will ask us if we could provide money to them for that purpose and we have not been able to do that; we've said so, but that is the normal course, course of things. The Meewasin Valley Authority, like most organizations, are short of funds and they, they will ask for increased funding and hopefully someday we'll be able to do that, but not right now.

**Mr. Toth:** — Thank you, Mr. Minister. Mr. Minister, I guess the fact that we're working to achieve a mechanism whereby the Meewasin Valley Authority continue to function without having to wait for the legislature to address its funding all the time, what . . . have there been any checks put in place that makes sure that the Meewasin Valley still continues to at least be responsible to the Legislative Assembly? Or what body would they be responsible to and accountable to in regards to their funding or any of the funds that they would receive? Would that be the three major partners? And how are the reports handed out or made available to us, Mr. Minister?

(1615)

**Hon. Mr. Mitchell:** — The Authority provides an annual report pursuant . . . as required by their legislation, to the Assembly, which I table every year. And in a similar way, and with the same report, they report to their other partners.

In addition to that, I personally am a member of the Meewasin Valley Board and that is set out in the legislation. I can't appoint anybody else to attend in my place. My chair is vacant if I'm not there, so they maintain close contact with the government as a result of that.

As well the president of the university and, up until very recently, the mayor of the city of Saskatoon made it a habit of attending all of the board meetings. So there was quite high-level representation at meetings of the board; so that the reporting relationship and accountability is really very, very satisfactory. It's probably a model.

**Mr. Toth:** — Thank you, Mr. Minister. And the fact that we have three major authorities responsible in having membership, I'm sure they would all, as you're putting funds in, you would want to make sure you've got a close eye on how the funds are being expended in regards to the requests that would come your way.

Clauses 13 and 14, I understand, update the boundaries of the Authority in light of new mapping information. And I am struck by how extensive this list is. Can you explain why there is such a discrepancy between the old maps and the digitized computer maps that are now being followed. And what implication would this have for other land registry throughout the province?

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, it looks a lot worse than it is. With the digitization of the system, if I can use that term, all these things just popped right up. For example, there are quite a number of situations where the original description is still correct except there have been changes that have occurred over the last 30 years with the establishment of new plans or subdivisions or amendments to the legal description as it appears in the Land Titles Office. So the

description was correct when the Bill was originally drafted but is no longer correct, and so we're changing them in this Bill.

It is a great deal . . . it looks a lot more complicated than it actually is. A lot of people spent a lot of time on this and they're now satisfied that they've got the descriptions correct. And I think we just have to accept their word that they are correct.

**Mr. Toth:** — Thank you, Mr. Minister. Mr. Minister, those are basically the questions I have for this afternoon. I want to thank you and your official for having a response to questions. And we look forward to working with this piece of legislation and seeing how it's going to work.

Certainly, Mr. Minister, as you pointed out, we have access to the annual report as well to follow up. And if indeed the Bill addresses some of the concerns and takes away some of the tedious process of what we've had to go through the last few years, and that allows more flexibility for the board to do their job, I think it's certainly a worthwhile piece of legislation. Therefore I'm prepared to move forward on the Bill before us.

Clause 1 agreed to.

Clauses 2 to 15 inclusive agreed to.

The committee agreed to report the Bill.

**Hon. Mr. Mitchell:** — I'd like to take this opportunity to thank Mr. Brickwell for his assistance to the committee, and to me in the preparation of this Bill.

### THIRD READINGS

#### Bill No. 24 — The Wascana Centre Amendment Act, 1998

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

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

#### Bill No. 28 — The Meewasin Valley Authority Amendment Act, 1998

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

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

### COMMITTEE OF FINANCE

#### General Revenue Fund Labour Vote 20

**The Chair:** — Before we start, I would ask the minister to introduce his staff please.

**Hon. Mr. Mitchell:** — Thank you, Mr. Chair. I have with me today Sandra Morgan, sitting beside me, who is the deputy

minister; Cheryl Hanson, an assistant deputy minister sitting behind Ms. Morgan; and Sharon Little, the manager of budget and operations who will be seated behind me.

I have also in the Assembly sitting in these seats at the back: Mr. Fayek Kelada, who is the director of health and safety services, in the occupational health and safety division; Eric Greene, who is the assistant director of labour standards; John Boyd, the director of planning and policy; Doug Forseth, a labour relations analyst; and Dawn McKibben, who is the director of human resources and administration.

(1630)

#### Subvote (LA01)

**Mr. Bjornerud:** — Thank you, Mr. Deputy Chair. Mr. Minister, I'd like to welcome your officials here this afternoon. Mr. Minister, the first issue I'd like to deal with this afternoon, I'd like to send you some material so — I'm sure you're very familiar with it— but just so, if you want to refer to it, you could.

I'd like to go through, Mr. Minister, some background information that we have here so that you can understand the issue that we're dealing with today. In discussions with two of the middle managers let go from SaskPower in '95 as part of the mass termination of approximately 80 employees, they informed us that the corporation did not follow section 44.1(1) and 44.1(2) of The Labour Standards Act.

After their termination, they wrote a series of letters to the Department of Labour. In their correspondence they finally got them to say that the corporation did defy the Act but that they assured the Department of Labour they would not do it again. The point is not that these individuals want their job back, although the Act has the authority to do that. But if the government doesn't follow its own laws, why should anybody in the private sector.

And I'd like to just to go through 44.1 just for both familiar . . . we're both familiar with what we're talking about.

Section 44.1 (1) and 44.1 (2) of The Labour Standards Act deals with a notice of group terminations and states:

44.1 (1) In addition to the requirements of section 43 and 43.1 but subject to subsection (3), an employer who intends to terminate the employment of 10 or more employees in an establishment within any four-week period shall give written notice of that intention, in accordance with subsection (2), to each of the following:

- (a) the minister;
- (b) each employee whose employment will be terminated; . . .

(2) The written notice required by subsection (1):

- (a) must specify:
  - (i) the number of employees whose employment will

be terminated;

- (ii) the effective date or dates of their terminations; and

- (iii) the reasons for the terminations; and

- (b) must be given within the time prescribed in the regulations.

According to the letter from Eric Greene and the assistant director of the Saskatchewan Labour on October 31, 1995, Carole Bryant informed the Minister of Labour that 99 out-of-scope employees have been terminated or retired as of that day of the letter, October 31, and 18 more would be terminated or retire in the next six months.

Furthermore the employees were not given any advance warning of their terminations. In other words, Ms. Bryant informed the department after the fact and was clearly not in compliance with the Act. The Act includes penalties for offences to the Act of \$2,000 per offence so that there are some stakes for the government admitting the Crown corporation was wrong.

Furthermore, had SaskPower complied with section 44(10) and provided notice to the employees and the minister at the time when it began giving out termination notices, the last days or dates of employment for those affected would likely have been different and as a result wages owing and subsequent pension calculations would have been affected if employees had been able to work for a longer period of time.

Mr. Minister, now I'd like to question you on that if I may. If an employer terminated a hundred employees all at one time and did not inform the minister until after the fact, would this be a violation of The Labour Standards Act under section 44.1?

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, sorry to take a few moments. The member will know that this situation did not occur on my watch, if I may say that — it happened under a previous minister. And so I took a few moments to just be reminded or to be told about the situation.

But the member poses a hypothetical situation but based on the example that you gave where a hundred people have been laid off and the notice that is required by section 44.1 was not given. And your question was, is that a violation of the Act; and my answer is yes, that would be a violation of the Act.

**Mr. Bjornerud:** — Thank you, Mr. Minister, and I understand that you were not on the watch at that time and I appreciate that, and I have no problem with taking your time to understand what we're talking about here.

If that is a violation then, what is your understanding of what the penalties should be under this clause?

**Hon. Mr. Mitchell:** — Mr. Chair, I will answer the member's question immediately. I just want to draw attention to the fact, however, that there are . . . there are regulations that also apply to that section which prescribes the length of notice which is applicable depending on the number of employees. If there are

more employees, the period of the notice is to be longer and also sets out a number of situations in which an employer will be exempted from giving the notice.

One of the features of these group notice provisions, from their very earliest enactment in most of the jurisdictions in Canada, has been that there really is none of the enforcement procedures surrounding them that you would find in other parts of the labour standards legislation.

And the decision then is whether or not the employer will be prosecuted. It is a violation of the Act and there are penalties prescribed for violations of the Act and procedures involved, or at least prescribed, where the employer may be charged with an offence and taken to court.

**Mr. Bjornerud:** — Well thank you, Mr. Minister. But section 85(1), and if I'm reading the right part of the Act here, it states that any violation of the Act bring with it a penalty of \$2,000, and \$5,000 for a second offence within six years, and \$10,000 for a third offence, Mr. Minister.

In the case that we have talked about, would each termination be classed as a separate offence?

**Hon. Mr. Mitchell:** — Mr. Chair, my advice is that it would be treated as being one contravention of the Act; not a hundred contraventions of the Act, but one in respect of the group termination.

**Mr. Bjornerud:** — Thank you, Mr. Minister. Have there been any past occurrences where a private company or I guess for that matter a government department have been found in non-compliance of this section of the Act? And if so, were any of these organizations fined or penalized?

**Hon. Mr. Mitchell:** — There have been a small number of situations in which the required notice has not been given. I'm advised that there were three or four or five such situations. And we have worked with the employer and the employees involved to resolve them. No prosecutions have resulted from any of those situations. This has been in the law since I think 1995, early 1995.

**Mr. Bjornerud:** — Thank you, Mr. Minister. Mr. Minister, I'd like to get more specific now to the SaskPower experience that I talked about before. When SaskPower terminated a large group of out-of-scope employees in '95, did the corporation give the Minister of Labour appropriate notice of these terminations?

**Hon. Mr. Mitchell:** — The answer is no.

**Mr. Bjornerud:** — Well, Mr. Minister, according to a letter written by Saskatchewan Labour on October 31, '95, Carole Bryant informed the Minister of Labour that 99 out-of-scope employees had been terminated or retired as of the day of the letter of October 31, and 18 more would be terminated or retire in the next six months. This clearly states that the corporation did not inform the Minister of Labour until after the terminations.

Given that SaskPower was in violation of the Act, what were the consequences? Was the corporation fined at that time?

**Hon. Mr. Mitchell:** — SaskPower was not charged and therefore was not fined. Might I enlarge on that answer? In all of the work that the department does under The Labour Standards Act, the department relies upon the Department of Justice to advise us as to whether or not a situation should be prosecuted.

There are countless violations of the Act that occur all the time and we are always uncovering . . . we're always, very often uncovering these and we settle almost all of them. Only in extreme cases do we prosecute under The Labour Standards Act. And we always proceed in accordance with advice from the Department of Justice. I think that some of the correspondence that you passed to me indicates that that was the situation in this case.

(1645)

**Mr. Bjornerud:** — Thank you, Mr. Minister. I have a letter here I'd like to read from — and I believe you may have it there if you want to look at it — from Graham Mitchell, the executive director of Saskatchewan Labour to Mr. Jack Shepherd, who by the way is one of the managers terminated after 35 years of employment, stating that in his opinion, reinstatement was not appropriate response to SaskPower's apparent breach of the Act.

He went on to say that it may be of some interest to you that SaskPower has, since your termination, affirmed that it will, by complying with its obligations under The Labour Standards Act basically assured that although they broke the law when they fired this man, they will not do it again.

Further correspondence between Mr. Shepherd and the Department of Labour and the Department of Justice clearly indicated that although there was a violation of the Act, that prosecution of SaskPower was not appropriate because of legal fees, etc. And I believe, Mr. Minister, we've heard this before. Instead they chose to use their resources educating the employer of their obligations.

Mr. Minister, should our Crown corporations and government departments not be very informed of their obligations under The Labour Standards Act? And if they plan to terminate over a hundred employees, would they not check with the Labour department to ensure they follow the proper procedures. Mr. Minister, will you tell us whether there was any contact with the department to discuss the obligations prior to such terminations?

**Hon. Mr. Mitchell:** — There was no contact at all between SaskPower and the Department of Labour prior to these lay-offs. The notice from Ms. Bryant that the member has referred to was our first official knowledge that this was taking place.

**Mr. Bjornerud:** — Well thank you, Mr. Minister. Is it your understanding then at this point, is SaskPower, as far as you know, are they up to speed now? If this happens again, will this same problem arise again or do they understand what they're doing now?

**Hon. Mr. Mitchell:** — Well I would hope so. They certainly

understand what the law is now. And I would hope and expect, and we would all expect that they would comply with these provisions if this situation were to happen again.

**Mr. Bjornerud:** — Well, Mr. Minister, I guess, and I agree with you, I would hope they'd know what they're doing and I think for everybody's benefit they're up to speed. But I guess this what to me resembles a number of things we saw happen. And if you remember back a GRIP (gross revenue insurance program) judgement where it went to court and a judge ruled that in the best interests of the public we will not benefit the farmer from his transaction.

And I would also say it resembles somewhat if I bought fire insurance on my house, it would be to the benefit of the people out there that if my house burnt down, that if the company I was insured with didn't pay me, it would be to the benefit of everybody else that carried insurance through there. And I don't think that happens.

And I think maybe — and I don't know what your comment would be on this, Mr. Minister — but I believe these people really, probably have an obligation of still . . . or should be maybe — correct me if I'm wrong — maybe four weeks pay and then the holiday pay and the pension plan and everything else would come into effect here. So I think really these people that were caught in this are somewhat short-changed, are they not?

**Hon. Mr. Mitchell:** — I thank the member for that question, Mr. Chair, because it gives me an opportunity to talk about the group termination provisions. I had the advantage, if you'd call it an advantage, of at one point in my career working for the federal government. And I was involved with the enactment of the first group termination provisions that existed in Canadian legislation through the federal Canada Labour Code. So I'm comfortable in answering, in giving you the information that I'm about to give you.

The public policy that underpins this kind of provision is not intended to give, to confer rights upon individual employees in the sense that they, that they, as a result of the enactment, have a different or larger right than they had in its absence. The public policy underpinning these provisions is that the government ought to have an opportunity to respond in some situations to large terminations.

Let us say that in the town of Saltcoats, which I think is your home town or near your home town in any event, if there was a . . . Let's take Esterhazy for an example — probably even a better example — and say the potash mine there suddenly laid off 200 people. Well that would be a huge blow to the economy of Esterhazy, which is still a small town . . . or it's a small town. Let's call it a small town; I don't mean to offend them but a lay-off of 200 people would be very significant for them.

And the provision for group termination is there to give the government and the community an opportunity to respond to the situation, first of all by trying to get the potash mine to change its mind and maybe not lay off anybody or not lay off that many, or do something else.

But in any event to give us an opportunity to consider what

options there are for the employment of those 200 people: is there something else that could be revved up in the community where they would . . . so they could continue to live there and work there, earn an income there? Is there any opportunity for one of our retraining programs to move in there and give some assistance? Is counselling necessary or advisable?

In other words, what I'm saying is that it gives the government the opportunity to do something about these mass lay-off situations. I repeat, it was not intended, and if I may say so, this section was not intended to confer rights on individuals that they don't otherwise have. It was not intended to give them a larger claim for severance, for example, than they would otherwise have.

I take advantage of the member's question to lay that background on the record. And I repeat again I was there when this first provision came along so I feel in a position to say with some confidence the things I have said concerning the public policy underpinning these provisions.

**Mr. Bjornerud:** — Well thank you, Mr. Minister, and I appreciate your answer, but I somewhat feel for where the people that were caught in the middle here, and because the rules were not followed, do you not though agree that maybe that these people were not treated fairly in this situation, and the four weeks pay maybe should have been paid?

**Hon. Mr. Mitchell:** — It's my impression that the people who were affected, who were laid off, were all . . . they were all out of scope, first of all. I think that's correct. They were . . . certainly if not all, most of them were out-of-scope people. They would therefore be, for the most part, management people.

And I can tell you on the basis of my experience, they would have a considerable claim for severance. It would depend upon their position — you know, where it was in the organization chart, how responsible a position it was. It would depend also upon their years of service. And in my private practice of law, I handle many, many such cases. They would have a fairly significant claim for severance. It would far outstrip any right they have under The Labour Standards Act.

I think in the case of . . . that we're talking about, the SaskPower case, the employees did in fact receive a severance package. I don't know what the details of that were; I could get them. But I would hope it was a fair package that took into account the matters that I mentioned.

**Mr. Bjornerud:** — Okay. Thank you, Mr. Minister. I also have another concern here I'd like to bring to your attention, and you may already be familiar with it. And I'd just like to read it, but I will send you a copy over so you could maybe follow along. I'd like to read you the concern. It's on behalf of my colleague from Cannington.

And the letter goes on to read, and this letter was sent to you, Mr. Minister:

I'm writing this letter on behalf of Natalie Kleinser of Estevan who has experienced a great deal of difficulty with respect to disability benefits from SAHO. Ms. Kleinser

was a nurse's aid and was hurt on the job in 1989. She was on Workers' Comp for a short period of time until SAHO began paying her for long-term disability. She has severe fibromyalgia and has not been able to work since 1989. In 1992 she was cut off SAHO benefits and told she needed a reassessment from a doctor of SAHO's choice. At this time she cooperated fully and was reinstated.

On July 9, 1996, SAHO informed Ms. Kleinser in writing that they believed she could return to the workforce in some capacity and consequently would be cut off benefits in August of 1998. Ms. Kleinser does not believe her condition has improved at all and maintains she cannot return to the workforce. Her view was supported by an outside organization, Northern Rehabilitation, hired by SAHO to assess the situation.

Despite all these hurdles, SAHO has told her that another representative from Northern Rehabilitation must assess her condition. Ms. Kleinser has become frustrated with these constant assessments. Because of her frustration, SAHO is now saying she is being uncooperative and plans to cut off her benefits altogether.

I would ask that you contact Ms. Kleinser directly and determine whether anything can be done to assist her with her conflict with SAHO. She can be contacted at her home in Estevan. Thank you in advance for your attention to this very serious matter, the member for Cannington.

Mr. Minister, Natalie has severe fibromyalgia, as I have said, and was on long-term disability, as we have talked here before, and through SAHO. And she previously worked as a nurse's aid but simply can't return to work because of the severity of her condition. Recently Natalie has experienced several obstacles, which have been mentioned in the letter, leading to the termination of her benefits.

Mr. Minister, I'm wondering if the minister . . . or if you could tell us whether your department has looked into this situation and update us on any of the developments since you received this letter?

**Hon. Mr. Mitchell:** — My recollection is that I signed a response to the member from Cannington yesterday but it was not a very positive response as I recall it. It had been prepared by the department, of course, for my signature and I approved it and signed it.

As I recall it, the letter said that the disability plan that SAHO (Saskatchewan Association of Health Organizations) has is their plan — it's not a government plan — it's their own plan and there really isn't any basis on which I can intervene or get involved in the thing.

That's a pretty easy answer I will admit. It's a correct one. And you having raised it here today, I think that it would only be fair that I have my staff at least call SAHO and discuss the circumstances with them and obtain an explanation — perhaps even try and influence the result — because I certainly have a great deal of sympathy for Ms. Kleinser. She was . . . it's been a long-standing claim and I know it's a great burden to her. I'm sure it is. I don't know her personally, but I'm sure it is. So

perhaps I'll reconsider and have one of my staff follow through with SAHO. But I do have to say that there is no formal basis on which we can intervene.

The committee reported progress.

The Assembly adjourned at 5:02 p.m.

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