

The Assembly met at 1:30 p.m.

**Clerk:** — I wish to advise the Assembly that Mr. Speaker will not be present to open this day's sitting.

Prayers

## ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

**Mr. Krawetz:** — Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I have a petition to present on behalf of residents of Saskatchewan. 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.

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

Mr. Deputy Speaker, the signatures to this petition are from the community of Radville. I so present.

**Mr. D'Autremont:** — Thank you, Mr. Deputy Speaker. I also have petitions to present today 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 into the health crisis we are currently experiencing.

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

These petitions come from the Radville and Oungre areas of the south of the province, Mr. Speaker. I so present.

**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 into the health crisis we are currently experiencing.

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

And this petition is signed by the good folks from Radville.

**Mr. Heppner:** — Thank you, Mr. Speaker. I too rise to present a petition, and I read 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 into the health care crisis we are currently experiencing.

And these are signed by the good people in Oxbow and Estevan and Grenfell. I so present.

**Ms. Draude:** — Thank you, Mr. Deputy Speaker. I too have a petition to present today:

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.

As in duty bound, your petitioners will ever pray.

The people that have signed this petition are from Radville and Weyburn.

**Mr. Boyd:** — Thank you, Mr. Deputy Speaker. I'm pleased to present a petition as well this afternoon on behalf of Saskatchewan residents dealing with the issue of the closure of the Plains Health Centre. The petitioners come from the Radville area of Saskatchewan and I'm pleased to present on their behalf.

**Mr. McLane:** — Thank you, Mr. Deputy Speaker. I stand today to present a petition on behalf of the people of this province. The prayer reads as follows:

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. Deputy Speaker, this petition has signatures on it from the community of Indian Head, and I so present.

**Mr. Belanger:** — Thank you, Mr. Deputy Speaker. I also rise to present a petition today. And the petition reads as follows:

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.

And, Mr. Deputy Speaker, the people that have signed the petition are from Mossbank. They're from Killdeer, from Gravelbourg, Assiniboia, and all throughout the land, and I so present.

**Mr. Aldridge:** — Thank you, Mr. Deputy Speaker. I too rise to present petitions on behalf of citizens concerned about the closure of the Plains Health Centre. 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 this petition, Mr. Deputy Speaker, are from the communities of North Portal, Rockglen, Killdeer, Mossbank, and Scout Lake. I so present.

**Mr. Hillson:** — Thank you, Mr. Speaker. I present a petition from people of the North-west:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to relocate Highway 40 to east of the David Laird Campground in order to alleviate the congestion at the entrance to the city of North Battleford.

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

Your petitioners come from Hafford, North Battleford, and Edam.

**Mr. Osika:** — Thank you, Mr. Deputy Speaker. I present a petition on behalf of concerned citizens with respect to the closure of the Plains Health Centre. The prayer reads:

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.

The signatures on this petition are primarily from the city of Regina, particularly Regina south.

**Ms. Haverstock:** — Thank you very much, Mr. Deputy Speaker. I rise today to present petitions on behalf of citizens of Saskatchewan who are seeking justice for the men and women who have lost their spouses in work-related accidents. And I'll read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to have The Workers' Compensation Board Act amended for the disenfranchised widows and widowers of Saskatchewan whereby their pensions are reinstated and the revoked pensions reimbursed to them retroactively and with interest, as requested by the statement of entitlement presented to the Workers' Compensation Board on October 27, 1997.

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

The signatures are from the Regina district, Mr. Deputy Speaker.

#### 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 on the following matters: to save the Plains Health Centre; to call an independent public inquiry into the Channel Lake issue; to put a moratorium on the closure of the Plains Health Centre; and to have The Workers' Compensation Board Act amended to reinstate pensions for disenfranchised widows and widowers.

#### NOTICES OF MOTIONS AND QUESTIONS

**Ms. Haverstock:** — Thank you very much, Mr. Deputy Speaker. I give notice that I shall on day no. 41 ask the government the following question:

Given the serious problems that are anticipated with the arrival of the new millennium: (1) what dollars has the government budgeted for planning, capitalization, alternative methods and liabilities, to ensure safe and responsible transition in the year 2000; (2) what committees, task forces, and coordination is taking place, who is involved, and what delegations have been given; and (3) what are the reporting structures and what evaluative systems are in place to ensure targets are met, issues dealt with, that reporting is timely, and accountabilities are clear?

#### INTRODUCTION OF GUESTS

**Hon. Mr. Nilson:** — Mr. Deputy Speaker, it's my pleasure to introduce to you and through you to all members of the legislature, 25 students in grade 5 and 6 from St. Pius School in Regina Lakeview, accompanied by their teacher, Paulette Belisle. I look forward to their questions and our discussion later after they've had a tour of the legislature. Let's all give them a warm welcome.

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

**Mr. Boyd:** — Thank you, Mr. Deputy Speaker. I as well would like to welcome the school group from St. Pius, but I would particularly want to welcome one smiling young face in the front row there. Members of the legislature and the media will know Ms. Kiesha Peter. Kiesha has been a frequent visitor to the legislature for many years when her mother, Kathy Peter, worked in our office.

So certainly welcome to Kiesha and welcome to all of her classmates. I hope you enjoy your stay here this afternoon and please welcome the students once again.

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

**Hon. Mr. Sonntag:** — Mr. Speaker, I just want to take this opportunity to introduce to you, because I know it's his last day here in the Assembly, — I just saw him walk in — Mr. Peter Chartrand, the head of the cafeteria. And he'll be leaving us today; we've had a reception a couple of days ago. But I want all of us, I would say, to welcome him today and bid him au revoir, I guess. Okay, thank you. Everyone please join with me in welcoming Peter here today.

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

## STATEMENTS BY MEMBERS

### Health Care Cuts

**Ms. Draude:** — Thank you, Mr. Speaker. There are two things that I know to be true: the first is this government has no commitment to health care and the second is this government has absolutely zero commitment to the people of rural Saskatchewan. And well, Mr. Deputy Speaker, if they can destroy both of them at one time it's all the better.

Yesterday the mayor of Wynyard began a passionate campaign to save health services in her community. In order to deal with this government's tight purse-strings, the Living Sky Health District was forced to make serious cuts, the worst of which fell on the town of Wynyard. But instead of taking the government's decisions to kill rural health care . . . the Minister of Health continues to pit one community against the other.

Mr. Speaker, when will this government learn. In the last five years they've closed 52 rural hospitals, and in October they'll be closing the Plains despite the cries from people of southern Saskatchewan and Regina. It is time for this government to admit their health care cuts have gone too far. As a matter of fact, the members opposite seem to have forgotten an important lesson they may have learned in their youth — there is honour in saying that you are wrong.

Mr. Speaker, I challenge the Minister of Health to take responsibility for the health care in this province; open their eyes and see that rural Saskatchewan is dying because of the cuts, not the other way around.

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

### World Wildlife Federation

**Mr. Koenker:** — Thank you, Mr. Speaker. This week the World Wildlife Federation released its annual endangered spaces progress report and Saskatchewan was given a B minus, the second highest grade in the '97-98 progress report on wilderness preservation efforts across Canada.

Our vast improvement here in Saskatchewan can largely be credited to one factor. That is the Premier's announcement this February that the province plans to set aside 250,000 hectares of prairie and forest from development.

Alan Appleby, WWF's (World Wildlife Fund) endangered spaces coordinator for Saskatchewan, acknowledged both the Premier's long-standing commitment to endangered spaces protection and the elevated status the Minister of Environment and Resource Management has placed on the issue.

While we can take pride in our progress, we also need continued commitment to build and complete our endangered spaces network in Saskatchewan, and to include such areas as the Doré-Smoothstone area before it is too late to do so.

Thank you, Mr. Speaker.

## Current State of Health Care

**Mr. McLane:** — Thank you, Mr. Deputy Speaker. Fact or fiction? That's the question the Premier has put to the Liberals about the current state of health care. Well let's take a look at some of the facts.

People from Regina filled the Plains Health Centre auditorium last night, joining the Liberal opposition in sending a very clear message that the closure of the Plains makes absolutely no sense.

The media was reporting today that the people are walking into the town office in Wynyard crying because there aren't enough beds for their parents. The NDP (New Democratic Party) is chopping another 11 acute care beds in Wynyard under the latest phase of its scorched earth policy called health care reform.

And, Mr. Speaker, just one more fact. The people of Saskatchewan have reached a point where they are not going to put up with this government's "we know best, we know all, trust us" mentality any longer.

Thank you.

### Saskatchewan Abilities Council Ability Bowl

**Mr. Wall:** — Thank you, Mr. Deputy Speaker. On Saturday, April 25, an important annual event occurred in Swift Current. Individuals, corporations, service organizations and political parties — well at least one — joined together for a day of bowling and fund-raising. The 10th Annual Saskatchewan Abilities Council Ability Bowl was held at the Frontier Bowling Lanes in Swift Current. The lanes were provided free by the owner of the Frontier Lanes and 12 teams of 5 players each set out to have fun and raise money. And raise money they did. At the end of the day, the bowlers had raised \$44,000 through pledges for the Saskatchewan Abilities Council.

I would like to take a moment to quickly acknowledge the many sponsors of this important event. They were: CJFB TV, CKSW/94.1 FM, the Booster, *City Sun*, National-Spar Inc., and the Paterson foundation. Numerous prizes, as well as financial support, were provided for the Ability Bowl by the fine community-minded people who belong to these organizations.

Finally, Mr. Speaker, I would like to congratulate all who participated and supported this year's Ability Bowl. Special congratulations and thank you to Jim Mohagen, chairman of the Saskatchewan council in Swift Current, Irene Ens, the CEO (chief executive officer), and Jennifer Kisell, a staff member who worked so hard for the event to be a success. Thank you.

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

### Farewell to Cafeteria Manager

**Ms. Haverstock:** — Thank you, Mr. Deputy Speaker. On Wednesday afternoon this week, there was time set aside to formally recognize the work of an individual who has contributed much in his 18 short months at the legislature. Some members and staff were able to be present at that tea.

I would like to say thank you, on the public record, from all of us who work in this wonderful building, to Peter Chartrand for his excellent leadership and professionalism in his role as manager of the cafeteria.

Peter, his wife Lisa, and their children, Kayla and Jessica, are moving back to Medicine Hat, Alberta where they will be able to live near family members while Lisa assumes new and exciting duties. With Peter's obvious talents we know that he will approach whatever he chooses to do with the same creativity and fervour that he demonstrated from the moment that he arrived here.

I simply say this, Mr. Deputy Speaker: thank you, Peter, for your great service, your friendship, your ability to bring together such a great team, and for making life much better for so many of us who have to spend a lot of time away from home.

We will miss you, and wish you and your family the very best.

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

#### **SaskEnergy Scholarship Program**

**Ms. Murrell:** — Thank you. I am pleased today to report that today Saskatchewan's family of Crown corporations made another contribution to the youth of our province. Yesterday the Minister of Crown Investments Corporation told students at Aden Bowman Collegiate in Saskatoon that SaskEnergy will offer half a million dollars to support post-secondary students in Saskatchewan.

Beginning this fall and over the next five years, SaskEnergy will help develop a highly skilled workforce in Saskatchewan by offering 20 scholarships of \$5,000 each to students of disciplines from arts to business administration, engineering, computer science, environmental science, and the trades.

SaskEnergy will support training of young people at all the province's post-secondary learning institutions, including the universities at Regina and Saskatoon, SIAST (Saskatchewan Institute of Applied Science and Technology), SIFC (Saskatchewan Indian Federated College), Gabriel Dumont Institute, Dumont Technical Institute, and the Saskatchewan Indian Institute of Technologies.

This investment in education reaffirms SaskEnergy's commitment to increasing the skills of the province's future employees and to improving opportunities for Saskatchewan's young people.

Thank you.

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

#### **Plains Health Centre Closure**

**Mr. D'Autremont:** — Thank you, Mr. Deputy Speaker. If it wasn't clear to you in this House before last night that several of our hon. NDP colleagues from Regina and southern Saskatchewan would not be rejoining us after the 1999 election, it sure is now.

I hope the message came across loud and clear — keep the Plains open or you will not be back.

The people of Saskatchewan want to vote on the future of the Plains and that vote will be in 1999. It is becoming increasingly clear you will not hold off the closure and allow that to happen. That is why the Saskatchewan Party is calling on the Premier to hold a free vote in this legislature on the closure of the Plains and unshackle its members so they can vote with their constituents.

It's high time the member from Weyburn-Big Muddy, the member from Indian Head-Milestone, the member from Swift Current, and the member from Estevan, and each and every member who represents the fine people of Regina, start protecting the people instead of protecting their Premier. Because let me tell you, if you don't, there's going to be a big price for you to pay.

Last night, we asked each and every person in attendance to do two very specific things when they woke up this morning: number one, call the Premier at 787-9433 and demand that he allow a free vote in the Assembly; and number two, call their MLAs (Member of the Legislative Assembly) and tell them how they should vote.

When we told the crowd last night to call the Premier, they demanded his home phone number. Out of respect, we didn't give out your number, Mr. Premier, but if you want to give it out, it would certainly be of service.

**The Deputy Speaker:** — Order.

#### **Outstanding Students in Pelican Narrows**

**Mr. Belanger:** — Thank you, Mr. Deputy Speaker. Once again I rise to talk about some successful people from northern Saskatchewan. I want to thank Marc Caron, who is the secondary vice-president of the Opawikoscikan School in Pelican Narrows, for giving us this information.

He spoke about three very positive students within his school system. Rita Cook is a successful example of an adult coming back after leaving school for many years to raise a family. This 33-year-old mother of three graduated in 1997 with a complete grade 12 diploma. Rita is now currently enrolled in business administration program at SIIT (Saskatchewan Indian Institute of Technologies) and is doing very well.

Karrie Dorion is currently in grade 10 at Opawikoscikan School. She is 14 years old, and Karrie achieved an 89 per cent average at this mid-term of the second semester in the classes she is currently taking. Her abilities do not end within the classroom. She is an accomplished square dancer and is a great example of how education can work.

And finally Gloria Merasty. Gloria graduated in 1989. She enrolled in nursing at SIIT in North Battleford. In 1993 Gloria was accepted into the NORTEP (northern teacher education program) program in La Ronge, and October 1997 she received an STF (Saskatchewan Teachers' Federation) award at her convocation, and this award goes to the student with the highest average within the College of Education. This is the first time

this award went to a student in northern Saskatchewan.

Mr. Speaker, I ask all the Assembly to congratulate these three fine students for work well done in northern Saskatchewan. Thank you.

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

## ORAL QUESTIONS

### Inquiry into Channel Lake

**Mr. Boyd:** — Mr. Deputy Speaker, my questions this afternoon are for the Premier, but I will direct them to who's ever available over there. Mr. Premier, Jack Messer is now saying that you asked him to give back the \$300,000 severance payment that you gave him. This begs the question: why did you give it to him in the first place? Why did you give him \$300,000 and then turn around and ask for it back a little while later?

The reason is simple. This was a political decision right from the very beginning. You made a political decision to pay off Jack Messer and you made a political decision to ask for the money back, and that's exactly what happened. And then you went about covering it up.

Mr. Premier, it's time for you to start telling the truth to the people of Saskatchewan. It's time for you to explain your involvement in the Channel Lake scandal, before the committee, under oath. Will you now agree to start telling the truth, come to the hearings, under oath, and testify before the people of Saskatchewan?

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

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I want to make it clear to the member opposite who asks about why the severance was paid, to outline for him again, the routine was that Mr. Milt Fair was asked by the board of directors to deal with this issue. In fact when Mr. Fair on March 12 was interviewed, he was asked by a reporter: "Milt, did the cabinet or minister in charge tell you to do a severance package?" and he is . . . in his return comment and I quote:

No, I have had no direction from the government or cabinet. This is a decision that I have taken with the agreement of my board and the counsel and my legal counsel.

Now you can go on maligning everyone. And it's interesting how you have taken the approach that Jack Messer, who was the most evil person in the world in the last session, is now your source of authority. It's interesting how that has worked. How interesting what a difference 12 months makes.

I say again that we all need to take our responsibility on this issue. As we said at the opening of the session, we wished it wouldn't have happened. I say again at some point in the future, months or years from now, Mr. Messer too will . . .

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

**Mr. Boyd:** — Mr. Minister, the Premier was involved in Jack Messer's firing. He was involved in paying him off and he was involved in asking for the money back. Five of your ministers and two of your senior staff people were on the CIC (Crown Investments Corporation of Saskatchewan) board, at the CIC board meeting where Jack Messer was forced to resign. And you want us to believe that you, that the Premier, didn't know anything about it.

Mr. Premier, Mr. Deputy Premier, just look at the headlines in a Saskatoon paper today. Nobody believes a single word you're saying about this issue. And nobody's going to believe you until you come before the committee, Mr. Premier, under oath; testify before the people of Saskatchewan. Will the Premier of this province commit to coming to that committee, testifying under oath before the people of Saskatchewan, so we can ask him questions about his role in this whole situation?

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

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I say to the member opposite — and he has the motion that was passed by the CIC board — he understands fully what took place. The board passed a motion and I quote in part: "John Wright was not authorized to discuss any issue of severance with Mr. Messer." That's what it says.

Mr. Wright was indicating that Milt Fair, the Vice-Chair of SPC (Saskatchewan Power Corporation) board of directors, would acquire the service of an outside legal adviser, such as a retired judge, to work out any package that would be appropriate. Mr. Milt Fair has said that that's what he did with no consultation or pressure from anyone. That's what happened.

What you're quoting, Mr. Messer is the authority, that he says something different. I know that. Yes, that's right. And he says that Deloitte Touche produced a piece of trash. And he says Gerrand is wrong. And he says the Premier is wrong. And he says that this is wrong.

Now it's interesting that we have the Conservative Party and Jack Messer lined up against the rest of the world. When a year ago, when a year ago, he was the most devious, the most devious man in the world. I say again, I say again, that . . .

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

### SaskPower's Proposed Investment in Guyana

**Mr. Heppner:** — Thank you, Mr. Speaker. The Premier is hiding a big mess in Channel Lake and it looks like he is hiding even a bigger mess in Guyana. Your NDP henchmen, Mr. Premier, are refusing to release some important documents about Guyana. You won't tell us who got paid for the Guyana deal. You won't even let us ask questions about Guyana. Why? What are you hiding?

All along you have said everything was done properly in Guyana. If that's the case, why are you hiding? If everything was done right in the Guyana deal, why won't you give us that information? Mr. Premier, what are you hiding and when are you going to start telling the truth?

**Hon. Mr. Lingenfelter:** — When this question was asked by the member from Melfort, I indicated to the legislature that the member from Melfort was at the committee where Guyana was discussed. That's how secret it was. We reported it every step of the way — the letter of intent, the plan, all of it. And the member opposite gets up today and says, what about that secret deal in Guyana — what about it?

Well I say to the member opposite that we signed a letter of intent. We looked at the deal and decided not to invest in Guyana. Now if you believe that we should have made the investment in Guyana, have the principled position to stand up and say it — if that's what you believe. We decided it wasn't a good investment after looking at it. You may have a different opinion but I say to you truly that's what happened.

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

**Mr. Heppner:** — Thank you, Mr. Speaker. Well, Mr. Premier, we found at least one thing you're hiding about Guyana. Today's *Guyana Chronicle* newspaper is reporting that Guyana's negotiating team on the GEC (Guyana Electricity Corporation) deal believes it has a strong case for suing you. They feel the damages are at least \$2 million U.S. (United States). That's about 3 million Canadian taxpayer dollars, Mr. Premier. All because you wanted to mess around in Guyana with taxpayers' money.

And now when we ask legitimate questions about this mess, you want to cover it up. Mr. Premier, why won't you let us ask questions about Guyana? Will you call off the gag order? If not, what else are you hiding?

**Hon. Mr. Lingenfelter:** — Again to the member opposite, it's interesting that when your members were at the committee where Guyana was being discussed you never took the opportunity to move a motion to say we shouldn't do it. Not once. No. Mr. Speaker, if you check the records you will find that not one word of opposition to the Guyana deal when they had a chance to do that.

I say to the member opposite, if he were honest he would come clean and say, we went to the committee; we didn't argue against Guyana but today we've changed our mind and now we don't like it any more. You can't have it both ways. And that's why you're over there as the rump of the Devine administration and you'll stay there for a long, long time.

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

### Compensation for Hepatitis C Victims

**Mr. Toth:** — Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, my question today is for the Minister of Health or his designate or whoever. Mr. Minister, the Governments of Ontario and Quebec have now reconsidered their position on hepatitis C compensation. They are now calling for all victims of hepatitis C through tainted blood to be compensated.

Mr. Minister, you are the Chair of the provincial Health ministers. Will you show some leadership, show some compassion, join with Ontario and Quebec and call for this unfair compensation package to be expanded. Will you do that?

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

**Hon. Ms. Crofford:** — As we've explained, Mr. Speaker, every government in Canada sat together at the table. There was a lot of time spent looking at this situation. There was many professional people involved in the deliberations. And at the end of the day, the particular package that was put together seemed fair and to account for the responsibilities of government.

All governments agreed to it, and we agreed to it as well, as a government. And as far as we're concerned, that's the decision that was made.

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

**Mr. Toth:** — Thank you, Mr. Deputy Speaker. Madam Minister, your minister knows that the package was not fair. Your minister is the Chair of the Health ministers. Your minister also is aware of the fact that other governments across this country have already admitted that they made a mistake. They are calling on you and Allan Rock to reopen the compensation issue and provide compensation to all victims who contracted this deadly disease through tainted blood. Madam Minister, that's the compassionate thing to do.

Will you ask your minister, the Minister of Health, to do the compassionate thing, the thing that's fair, the right thing to do. Will you do that today, Madam Minister. Will you pick up the phone, call your minister and have him call Mr. Rock and tell him it's time to reopen the issue?

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

**Hon. Ms. Crofford:** — Thank you, Mr. Speaker. Again I'll reiterate that when you sit together at a table with all other provinces and come to an agreement, it's certainly incumbent on all the provinces to honour the agreement that they've made. All of the provinces agreed to this package based on the best advice about the obligations of government for the circumstances that existed at the time.

And certainly sufferers of hepatitis C who would not be covered by that package are covered by the health services that all people of the province are covered by. And so I just reiterate that that is the package that was agreed to.

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

**Mr. Toth:** — Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, to the Premier or the Deputy Premier. Mr. Deputy Premier, you are aware of the fact that this issue means a lot to many people in this country, that the package was not fair, that the package missed a number of individuals, that they're innocent victims of hepatitis C who today are left on their own. And the Governments of Ontario and Quebec have recognized that, they have admitted their mistake, and they are now calling upon the federal government to sit down and reopen the issue, rediscuss it so that everyone in this country is treated with fairness.

Mr. Deputy Premier, will you indeed do that today, that will you ask and instruct your Minister of Health to indeed follow

the examples of Ontario and Quebec?

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

**Hon. Ms. Crofford:** — Well again, I have to reiterate, the issue here was the liability of government for the blood system. It was looked at closely by a number of professional health and legal people, and they agreed to a package, across Canada, with the federal and provincial governments. All those governments who are now passing resolutions agreed to this package. We passed a resolution in this House the other day which reaffirmed that decision.

And I again just say that people certainly will be covered by all the health services and drug services they require in the treatment of their disease.

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

#### Plains Health Centre Closure

**Mr. Aldridge:** — Mr. Deputy Speaker, one fact is becoming crystal clear as the Liberal opposition continues to stage Save the Plains meetings across southern Saskatchewan — people don't believe the Premier's decision to close the Plains hospital makes sense in financial terms or health care terms. We heard it again last night in Regina.

Mr. Premier, you've ducked all five Save the Plains meetings that the Liberal opposition has staged to date. What do you have to say to the people of Assiniboia, Indian Head, Redvers, Weyburn, and Regina who have packed halls to voice their serious concerns about your decision to close the Plains?

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

**Hon. Ms. Crofford:** — Well, Mr. Speaker, unfortunately this was the first rally I was able to attend last night; so I can't compare it to the others, but it certainly struck me as a save the Liberals rally.

There was a big Liberal banner across the back of the room. The hand-out says: send your money to the Liberal opposition; apparently it's a Liberal fund-raiser as well.

And I would have to say that this fearmongering and political opportunism that I witnessed last night, well you should just be ashamed of yourselves.

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

**Mr. Aldridge:** — Mr. Deputy Speaker, the Liberal opposition simply gave the people of Regina . . .

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

**Mr. Aldridge:** — Mr. Deputy Speaker, the Liberal opposition just simply gave the people of Regina last night a chance to be heard, and they spoke loud and clear.

Unfortunately many who were in attendance submitted written questions and we just couldn't get to them all before the meeting ended. Because you ducked the meeting last night,

we'd like to put a few of these questions to you.

Mr. Premier, you say the decision to close the Plains was made well before the 1995 election. Why then did some of the Regina New Democrats base their '95 election campaign on saving the Plains?

And, Mr. Premier, it takes a truly big person to admit that you've made a mistake. People will actually think more of you if you do what is right. Will you reverse this poorly thought-out decision?

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

**Hon. Ms. Crofford:** — I have to say that they're accurate in one thing, and just about only one thing, and that's that there was an election fought on this issue already.

But what I'll add to that is health care across Canada is in a difficult situation. I assume you read the paper like everyone else does, and regardless of political stripe, across Canada health care is in a difficult situation, no thanks to your counterparts, the federal Liberals, no thanks to the Tory Devine debt, and no thanks to the Liberals in this House for your campaign of misinformation.

Now I suggest that there are things that need to be discussed in a changing health care system, and if you were responsible you would discuss them in a thoughtful and focused way and not be into this campaign of misinformation which then gets printed as fact.

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

**Mr. Aldridge:** — Mr. Deputy Speaker, the Premier is telling the media that the Liberal caucus doesn't have its health care facts right, and again we hear them saying the same this afternoon.

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

**Mr. Aldridge:** — He's telling the media, and we're hearing his government saying it here again, we're fearmongering about the closure of the Plains hospital and on other health care issues.

Well, Mr. Premier, let's examine some facts and you tell me which ones are not true — 53 rural hospitals closed; health care waiting-lists, 6,600, an all-time high; 968 acute care beds slashed; 461 long-term beds gone; 579 nurses eliminated.

Mr. Premier, you say there'll be no beds lost if the Plains hospital is allowed to close. Will you be honest with the people and tell them that's only because you've already slashed 372 beds in Regina, bringing the total bed count crashing down to a dangerous and . . .

**The Deputy Speaker:** — Order, order. Now the member has been very long and there's several questions. And I will ask him now to put his question directly.

**Mr. Aldridge:** — Mr. Deputy Speaker, I'll put my question one more time. Mr. Premier, you've already slashed beds by 372 in Regina . . .

**The Deputy Speaker:** — Order, order. I asked the member to put his question directly, not have another introduction to it. So I would ask him now to put his question directly or I will go to another speaker.

**Mr. Aldridge:** — Mr. Deputy Speaker, will the Premier admit that beds in this city are already at a dangerously low and unacceptable level at 675 beds?

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

**Hon. Ms. Crofford:** — Mr. Speaker, there's no question the health care system is in transition. We've made adjustments and in the future there may be further adjustments, but that's not the issue here today. The issue is this is a leopard that never changes its spots.

I'm maybe a little older than the member over there, but I remember the atmosphere during the medicare debate. At that time his party wasn't talking about how to provide services, they weren't talking about how to provide more affordable services, they were out there spreading fear and division. And all I can say is that Dr. Melenchuk is back in the saddle again.

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

#### Rural Road Maintenance

**Mr. Osika:** — Mr. Deputy Speaker, SGI (Saskatchewan Government Insurance) and the city of Regina are planning to cost share construction work on three city intersections in the hope that this will cut down on the number of traffic accidents. At the same time, there are many, many rural roads with dangerous sections of potholes which look more like craters. The situation is getting so bad, I understand, that deer are now taking refuge in the potholes because they are that big.

Will the minister in charge of SGI explain if the Crown is prepared to strike the same kind of cost-sharing agreement with municipal government to cost share construction work on dangerous sections of the road? They've cut back on their promise to fund rural municipalities to help them fix their roads.

**Hon. Mrs. Teichrob:** — Sir, I thank the member opposite for the question. I'd point out that the rural roads, in fact the whole road system in this province, the transportation system, is in transition as elevators consolidate and railways are abandoned, as the federal government allows that to happen at an accelerated pace, and puts . . . takes \$400 million a year out of our economy in changes to the Crow and doesn't put anything back in.

So we have for our part increased this year our Highways budget by 10 per cent and our funding for rural roads by 14 per cent, Mr. Speaker.

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

**Mr. Osika:** — Mr. Deputy Speaker, it's easy to abdicate your responsibilities when you have somebody else to blame constantly. With the massive cuts this government has made to municipal governments, they simply do not have the funds for road reconstruction. However, a cost-sharing agreement with

SGI might just allow some of the RMs (rural municipality) to do some really much-needed work in some areas.

Motorists are demanding action. The local governments are demanding action. The president of SARM (Saskatchewan Association of Rural Municipalities) indicated last week that poor road conditions are to blame for the increasing number of fatalities on the rural road system — not unlike the concern with the intersections around Regina.

Will you make a commitment in this House today to strike up a cost-sharing agreement with municipal governments which might make our roads a little safer for travel? And that's for the minister of SGI.

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

**Hon. Mrs. Teichrob:** — Mr. Speaker, I thank the member opposite for the question. We do have a commitment to the transportation system in this province. And I would ask the member opposite if he will act to get a commitment from his counterparts in Ottawa for a national road program, for them to contribute to the national transportation system, including the pressures that are coming on our roads because of their actions in allowing railways to abandon tracks.

I would also ask at the same time, Mr. Speaker, if the member opposite would get a commitment from the federal government to return to 50 per cent funding on health care rather than the 13 that they've declined to.

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

#### Plains Health Centre Closure

**Mr. Toth:** — Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, this government has no compassion for hepatitis C victims and it has no compassion for the thousands of Saskatchewan people who want the Plains hospital to remain open. In fact, Mr. Deputy Speaker, this government refuses to take responsibility for this decision by hiding behind the Regina Health Board. Mr. Deputy Speaker, it is a heartless, spineless act by a heartless, spineless government.

To the Premier: Mr. Premier, if you had had the courage to show up last night you would have heard a lot of people who wanted the future of the Plains to come to a free vote in the legislature. I'm sure many of those people called your office this morning. They were all quite interested in your phone number of 787-9433.

Mr. Premier, are you listening? Will you allow a free vote on the future of the Plains hospital?

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

**Hon. Ms. Crofford:** — Well, Mr. Speaker, I'm particularly pleased that it was this member that asked the question. And I'm just going to echo a letter in the newspaper that says: where were you when Grant Devine ran this province into the poorhouse? Where were you? Where were you?

And where were you when Devine said that the finances of this



province can be mismanaged and we'd still come out ahead. Where were you when he bought votes by building unsustainable facilities in areas where they were clearly not needed. You may not remember your history, but I've taken a greater interest in it since I became involved in politics.

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

**Mr. Toth:** — Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I think I can look back with pride to the fact that the people of south-eastern Saskatchewan have access to water and are very proud of it. I think the people of Saskatchewan appreciate the Saskferco company and the contribution it's made to Saskatchewan. I think Saskatchewan people are, as well, pleased with Weyerhaeuser.

And, Mr. Deputy Speaker, they are not pleased with this government and the compassion it says it has but it does not show to the people of Saskatchewan regarding the hepatitis C, regarding closure of the Plains health care centre, or the fact that the Premier and his Deputy Premier or even the minister responsible will not allow a free vote in this Assembly.

Madam Minister, if you've got nothing to hide, why don't you allow a free vote on the closure of the Plains health care centre?

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I want to respond to the member from Moosomin who today stands and defends the Tory record. Finally, finally, finally we have it.

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

**Hon. Mr. Lingenfelter:** — Finally we have it. The old Tories finally couldn't take it any more. He had to get up in his place and defend his actions as a Tory. That's great to see. Great to see. Finally.

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

**Hon. Mr. Lingenfelter:** — The investment in Millar West or in the GigaText and the High R Door and all the Tory deals — there he's defending. And I'm glad to see it.

I want to say to the Liberals who went over to the Tories: you're going to have to defend that record too in a by-election coming up very soon. And we'll see if you put Mr. Hermanson into the by-election or whether you're whistling by the graveyard as you go down the tubes.

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

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

#### INTRODUCTION OF BILLS

**The Deputy Speaker:** — Order. The Clerk is calling for Bills to be introduced and nobody can hear him calling it. So if the House would come to order, we would continue with the business of the House.

#### Bill No. 37 — The Noxious Weeds Amendment Act, 1998

**Hon. Mr. Upshall:** — Mr. Speaker, I move that Bill No. 37,

The Noxious Weeds Amendment Act, 1998 be now introduced and read for the very 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. 38 — The Highway Traffic Amendment Act, 1998

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I move that Bill No. 38, The Highway Traffic Amendment Act, 1998 be now introduced and read for 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. 39 — The Vehicle Administration Amendment Act, 1998

**Hon. Mr. Lingenfelter:** — Mr. Speaker, it's indeed a pleasure to move that Bill No. 39, The Vehicle Administration Act, 1998, and I move that it now be introduced and read a 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. 40 — The SaskTel Pension Implementation Act

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I move Bill No. 40, The SaskTel Pension Implementation Act now be introduced and read for the first time.

Motion agreed to and the Bill read a first time.

**The Deputy Speaker:** — When shall the Bill be read a second time?

**Hon. Mr. Lingenfelter:** — Mr. Speaker, with leave, later this day.

Leave not granted.

The Bill ordered to be read a second time at the next sitting.

#### ORDERS OF THE DAY

#### GOVERNMENT ORDERS

#### ADJOURNED DEBATES

#### SECOND READINGS

#### Bill No. 33

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Nilson that **Bill No. 33 — The Provincial Court Act, 1998** be now read a second time.

**Mr. Toth:** — Thank you, Mr. Deputy Speaker. It is my pleasure to speak today to The Provincial Court Act because this is certainly an important piece of legislation, one which the Saskatchewan people and the Saskatchewan Party are very interested in.

Mr. Deputy Speaker, not only does it deal with the power of provincial judges, but the method by which they are appointed, the amount of money they are paid, and the amount of time they can serve. These are all issues that the people of Saskatchewan are telling us we should visit and ensure they are consistent with the values of the people of Saskatchewan.

After all, Mr. Deputy Speaker, these individuals have a great deal of power in our lives and quite often people feel like this is power without adequate levels of accountability. Right now the Saskatchewan Party is investigating different methods to increase that accountability, whether it be through committee of jurisprudence or alternative methods. The important thing is this: that we keep talking about ways of improving our justice system.

Mr. Deputy Speaker, the one thing which has become quite clear in the last five or so years since this NDP government came to power is that the people of Saskatchewan are seriously losing faith in the justice system.

Mr. Deputy Speaker, I'm not suggesting that the sole responsibility for this dramatic loss of faith falls on our judges. As a matter of fact I would not even suggest that a large part of it falls on our judges. But what I would say is that people's perceptions — or should I say people's fears — are extremely significant. One of the basic human needs is the need to feel safe.

Mr. Deputy Speaker, they need to feel that when people commit a crime, no matter what their age, they receive a fair trial, they receive the appropriate punishment, and especially if that crime is of a violent nature, the offender does the time.

Nowadays people are not sure that is happening. We see offenders serving minuscule portions of their sentences. Sometimes we see those individuals re-offending after they have been released early and sometimes the results of those re-offences have been loss of life.

This loss of faith has also been a result of the amount of time which elapses between the time an individual commits an offence, or allegedly commits an offence, and the time that individual gets their day in court. Mr. Deputy Speaker, sometimes we see court battles unnecessarily dragging out, and this certainly creates a great deal of disillusionment.

I'm also certain that it creates a great deal of pain for family members if, for example, it takes an extended period of time to determine the alleged murderer of their loved one is either guilty or innocent. The issue of backlog in our court system has a lot to do with this unnecessary time lapse and I believe it is of the utmost importance that the government address this very important issue.

And when I say address, Mr. Deputy Speaker, I mean that the government must address it in a meaningful way. What we have seen in the past when this government gives lip-service to addressing a significant issue in the justice system is that, this government hiring a couple of consultants to produce an emasculated report which leads to the purchase of computer equipment for the Crown prosecutor's office. Sound familiar?

After some serious problems arose as a result of a few, very high profile cases, like the Martensville or the Latimer case, the government was quick to call an investigation. Unfortunately, Mr. Deputy Speaker, they forgot to give the investigators the mandate to look into these high profile cases. Consequently the result was a 10-page, watered down excuse of a report which validated the government's wish to buy more computer equipment.

This is not how the people of Saskatchewan want the government to look into the justice system. The only way to restore their faith will be to launch a full-scale public inquiry into all aspects of the system.

I will consider supporting this Bill, Mr. Deputy Speaker. But, Mr. Deputy Speaker, I believe it's a . . . we must also give an opportunity for other members of this Assembly to speak to the Bill before we allow it to go to committee.

Mr. Deputy Speaker, it's quite obvious there are a number of issues that need to be addressed, as I've indicated, in the piece of legislation before us. And with that in mind I would like to give other members the same opportunity to make . . . give their views, express their opinions in regards to The Provincial Court Act we now have before us. Thank you, Mr. Deputy Speaker.

**Mr. D'Autremont:** — Mr. Deputy Speaker, indeed The Provincial Court Act is an important Act for consideration because, as my colleague said, it deals with the power, the appointment, and the pay of judges. So we've certainly seen how this government has dealt with that particular aspect of jurisprudence.

They came to an agreement with the judges that they would go to arbitration to determine the pay scales that provincial judges would receive. When the report came back — and this was supposedly binding arbitration; that was the agreement — when the report came back the government said no, sorry we can't possibly accept that; that's way too much; we are going to break the law. And indeed that is exactly what the Minister of Justice did.

He broke the law then brought a Bill back into this House to make his judgement, his determinations, legal.

Well, Mr. Deputy Speaker, as we know, the judges, their only recourse was to sue the provincial government, which they did do. And the provincial government, just before court, made an eleventh-hour settlement and gave them virtually what was in the original proposal.

But nevertheless, Mr. Deputy Speaker, it cost the province, the people of Saskatchewan, money in dealing with this through both the court system and out of court. That is the kind of respect, Mr. Deputy Speaker, that this government has for the Provincial Court judges.

(1430)

Mr. Deputy Speaker, the people of Saskatchewan have questions about how judges are appointed and how they exercise their power. People in the province want to have more input. They don't simply want judges appointed by partisan

means — because a judge happened to be the leader of a provincial party is no reason for them to be a judge. And that doesn't matter which political party. Every political party that has governed in the province of Saskatchewan has been guilty of that, Mr. Deputy Speaker — every last one of them.

And it's time it changed. It's time that there was some new ways of doing those sort of things in the province of Saskatchewan. We need more of an independent judiciary. But, Mr. Speaker, while they may be independent from political interference, judges since 1982 and the Canadian Charter of Rights and Freedoms have taken a lot of power onto themselves. They've taken the power to create law — to interpret law, interpret law is what their duty should be. But to create law, Mr. Deputy Speaker, I would say was not to be the purview of the judges. That purview was given to the legislators of the land, given to this legislature, given to the House of Commons, Mr. Deputy Speaker, not to judges.

That is another area, Mr. Deputy Speaker, I think it needs to be taken a very serious look at. We need to take a look at how judges are appointed, how they exercise their power, and indeed, Mr. Deputy Speaker, how they are paid. For those reasons, Mr. Deputy Speaker, I would move that we now adjourn this debate.

Debate adjourned.

#### Bill No. 31

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Nilson that **Bill No. 31 — The Enforcement of Judgments Conventions Act/Loi sur les conventions sur l'exécution de jugements** be now read a second time.

**Mr. Heppner:** — Thank you, Mr. Speaker. I rise today to speak to The Enforcement of Judgments Conventions Act.

My understanding of this Bill is that it is a piece of legislation that will be introduced in each of the legislatures all the way across Canada. Further, its purpose is to provide a process for civil judgements made by the courts in one country may be recognized and enforced in another country without the necessity of re-litigating the matter.

I would like to say, Mr. Speaker, that although we certainly support measures to lessen the burden on our court system, which is constantly bulging at the seams, we must ensure that when it is doing so, the citizens of Saskatchewan and of Canada are kept safe from any possible misuse.

In explaining this piece of legislation, the Minister of Justice told the Assembly the following: 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 judgements which have already been rendered in Saskatchewan. So what the minister is saying is that it will be easier to enforce Saskatchewan judgements outside our borders.

It would seem, Mr. Speaker, this would mean that the opposite

might also be true. I do have some concerns with this, the majority of which can be expressed by Committee of the Whole. But I would like to take a couple of minutes to talk about them now. Before I do, I would like to say at the outset that I don't want my concerns interpreted as advocating the obstruction of justice or judgements simply because that is not the case.

But, Mr. Speaker, there are circumstances where Saskatchewan citizens travel to war-torn countries or countries that do not embrace human rights in the way that we do here in Saskatchewan and Canada. In such situations, we do not want to make it more difficult to protect our citizens who find themselves persecuted in foreign prisons for minor offences. I'm certain that the countries we enter into such agreements with do not fit this category but I will certainly be asking for this information in Committee of the Whole.

In favour of this legislation, I would like to say that anything which makes it easier to enforce maintenance agreements is a positive step. Of late there have been one or two high-profile cases where individuals tried to shirk their parental responsibilities by moving outside of Canada. It is unfortunate that families fall apart and find themselves in this position. But in the event that a marriage goes bad and the custodial parent finds themselves in a situation where the other parent leaves the country to avoid maintenance enforcement, the custodial parent should not be forced to rack up huge legal bills to get justice in another country. The only one who really wins in a situation like this is the lawyer. And certainly the big losers are the children.

I would also like to speak for a minute on the incredible backlog often experienced in our own court system. This type of legislation will assist in that backlog, but it is clear the government must do more.

We do see more alternative justice and sentencing measures being used, like youth justice committees and first nations' sentencing circles. I don't know the statistics but I would suggest that these measures have decreased the backlog somewhat.

But I think it is time we step back and look at the long-term effectiveness of these measures and ensure that the offenders are not simply reoffending and returning through . . . into the court system.

I think there are likely refinements or philosophical changes which we could make to these committees to ensure that young people, for example, realize that crime does not pay. If an offence is committed, it is not good enough to simply slap the offender on the wrist.

I would also say, Mr. Speaker, it is important that the offender faces judgement in a timely fashion after their offence. That is why I believe the Minister of Justice should be investigating an innovative justice model being utilized in British Columbia which combines the appropriate components of a sentencing circle and the appropriate components of what is sometimes referred to as a boot camp.

The results of this model have been a dramatic decrease in the

time between the offence and the judgement, and a dramatic decrease in the backlog experienced in youth court in that area.

I would like to close by saying while I'm in favour of the principles of this piece of legislation, before it is passed there are certainly some questions which need to be answered. And I certainly will be in contact with other provincial Justice departments across the country.

Thank you, Mr. Speaker.

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

#### 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.

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

#### COMMITTEE OF THE WHOLE

##### Bill No. 5 — The Animal Products Amendment Act, 1998

**The Deputy Chair:** — I invite the Minister of Agriculture to introduce his officials as we begin.

**Hon. Mr. Upshall:** — Thank you, Mr. Chair. To my left is Bob Ford, the manager of quality insurance for industry development branch. Behind Mr. Ford is Maryellen Carlson, director of industry development branch. And immediately behind me is Dr. Al Choquer, director of livestock and veterinary operations.

##### Clause 1

**Mr. Boyd:** — Thank you, Mr. Chair. Mr. Minister, a welcome to yourself and to your officials this afternoon.

In reading this Bill and through your comments, I understand that the Bill was developed in consultation with the industry. Can you tell us who you consulted with on this piece of legislation?

**Hon. Mr. Upshall:** — Yes, we talked to the Saskatchewan Meat Processors Association. That is the association with many members across the province who process in small processing plants, to plants as big as Intercon; Sask Health, who are also involved in the inspection of meat; and Canadian Food Inspection Agency, CFIA, which is the federal agency that licenses federal plants; and we've also talked to the dairy industry.

**Mr. Boyd:** — Thank you, Mr. Minister. The Bill extends the right of regulation to slaughterhouses and meat processing facilities to the provincial government. Who regulates the industry currently?

**Hon. Mr. Upshall:** — I'll give you a quick overview as to how

it works. The Canadian Food Inspection Agency, or CFIA, inspects plants that are going to be moving product out of Saskatchewan, from Saskatchewan to somewhere else. The provincial inspectors inspect plants that are moving product within the province. And the Department of Health inspects basically very small operations that would be selling product within the province as well.

**Mr. Boyd:** — Thank you. In the introduction of the Bill, the minister of SPMC (Saskatchewan Property Management Corporation) referred to a working group which is addressing the issue of harmonization of inspection regulations in all of the provinces. Can you tell us who serves on that working group?

(1445)

**Hon. Mr. Upshall:** — There are many people from across Canada, from other provinces. I can give you our representatives. Mr. Ford, to my left here, is the representative from Sask Ag and Food, and Louis Corkery from Health is also a representative from Saskatchewan.

Now this is a group that is working together with the federal government to coordinate the inspection services to ensure the food quality in our country is maintained at a very high standard, because there's much demand on quality from importing countries. And if we want to stay in the game of exporting — which we are exporters as you know — then we have to work together with all the other provinces on coordinating an approach to inspection services and food quality assurance.

**Mr. Boyd:** — Mr. Minister, is there conflict between the . . . in the regulations regarding inspections moving from one province to another, currently?

**Hon. Mr. Upshall:** — I'm sorry, you said, is there a conflict. I don't know what you mean. Conflict between whom?

**Mr. Boyd:** — What I meant is, is there various types of regulations in each province across Canada — provinces across Canada — and what kind of conflicting regulations are people here in Saskatchewan confronted with?

**Hon. Mr. Upshall:** — The federal system is a single system right across the country. In the case of Saskatchewan, Manitoba, and British Columbia, we contract services from the federal government. Other provinces provide their own services. And then as far as Health is concerned, they do the smaller local plants that sell within Saskatchewan.

This is all part of a concept that has been put forward right across the country to enable us to have . . . to try to standardize our quality programs, to streamline them so that they're not duplicating each other, and so that they're . . . the safety of inspection is improved.

**Mr. Boyd:** — In terms of the safety of products, meat products in Saskatchewan, have there been concerns raised about the safety of products on the tables of Saskatchewan people, and will this Bill address those problems, Mr. Minister? And in terms of the cost of it to slaughtering facilities here in Saskatchewan, do you foresee the new provisions of the Act or

the changes in the Act adding additional costs to those involved in the industry?

**Hon. Mr. Upshall:** — Just to start with your last question first, the cost, there could be some increased cost at the implementation level for a quality assurance program but there also should be some reduced costs in the inspection side, the per-carass inspection side. So the industry feels that it should be a relative ... (inaudible) ... when this whole thing's implemented. It'll just be a reallocation.

As far as the safety and concerns of Saskatchewan people, there's been no trend toward people worried about safety. Now the quality assurance program will enhance the safety even more than it is today, although it's not a problem. Like there's no identified problems in the province right now. But if that ... it'll enhance it.

The main reason of course is, is to provide a system whereby people, no matter if it's bought in the province but also if it's bought in some other country, can be assured that we have hazard ... critical control points ... hazard analysis, critical control points in control, identified, and action taken on those HACCP (Hazard Analysis and Critical Control System) ... on that HACCP.

**Mr. Boyd:** — Will the licensing requirements only be for commercial abattoirs or are there such facilities? Or will farmers who slaughter their own cattle for ... face grader licensing requirements as well?

**Hon. Mr. Upshall:** — No. There'll be no changes on the armed farm slaughter for your own consumption. No, it's just for commercial operations.

**Mr. Boyd:** — When you say commercial operations, perhaps you could define that a little bit for us. Are we talking about a farmer who slaughters a few cattle a year for sale to a few of his neighbours? Or is this a ... what would we ... how would we characterize a commercial facility?

**Hon. Mr. Upshall:** — Just to simplify it, there will be no change in the licensing requirements. If you're licensed now, when this Act is put into place the same people licensed now will be licensed then. If you're not licensed as a farmer killing half a dozen or dozen, you won't be licensed after either.

**Mr. Boyd:** — In the regulations a section has been added giving you the power to set fees for prescribed services. Can you tell us what those services will be and what kind of fees are expected?

**Hon. Mr. Upshall:** — With this legislation, initially there's no anticipated change, but that is put in there to leave the door open to anything that may have to be changed. There could be some cost sharing, you know, down the road, but it's not anticipated to be anything of concern right now.

**Mr. Boyd:** — The amendment extends the definition of "record" to mean electronic records. Under what circumstances do officials have to seize records currently and is there a warrant required for that?

And can you give us the approximate number of cases in the past few years where animals, animal products, documents, or records have been seized under this Act?

**Hon. Mr. Upshall:** — Just checking with the officials here on whether or not ... We don't have any data here, but to our collected recollection there has been no seizures under the programs that we've had. But I'll endeavour to tell you that we will check that to make sure that our memory is right on that. If there is something, we'll bring it forward to you.

And also in terms of the access to records, there is a provision that the operations have to have records and they shall be accessed. The provision to access them through the law is always in there to make sure that if somebody does not cooperate, that the officials can get a hold of those. But we don't anticipate any problems in those areas.

**Mr. Boyd:** — Under the section giving you the authority as the minister to suspend, amend, or revoke licences granted to people under this Act, it states the person must be allowed to be heard. Can you tell us what type of forum such a hearing takes place and are you and your officials the ones that adjudicate that?

**Hon. Mr. Upshall:** — In the final analysis the department are the adjudicators. But the process of adjudication has not been specified simply because ... and would be specified only when the appeal was brought forward. Because you want to make sure that the process equals the breadth and depth of the problem. So it will be outlined ... it would be outlined to achieve a fair hearing for the people who were involved. But at the end of the day the department adjudicates.

Clause 1 agreed to.

Clauses 2 to 12 inclusive agreed to.

(1500)

#### **Bill No. 6 — The Cattle Marketing Deductions Act, 1998**

**The Deputy Chair:** — I'll invite the minister to reintroduce or introduce his new officials.

**Hon. Mr. Upshall:** — Thank you, Mr. Chair. To my left is Hal Cushon, director of policy and program branch — program development branch in Sask Ag and Food; and to my right is Doug Winsor, senior livestock analyst with policy and program branch.

#### **Clause 1**

**Mr. Boyd:** — Thank you, Mr. Chair. Mr. Minister, welcome to your officials. Mr. Minister, you have moved the actual amount of deduction taken off per head of cattle under this Act out of legislation and into regulations. Why would you have done that?

**Hon. Mr. Upshall:** — This was done at the request of the industry to allow for the changing of collections from time to time, for the amounts, and we agreed to that and put it in the Act.

**Mr. Boyd:** — The industry was supportive then of that change, Mr. Minister? We would have your assurance of that?

**Hon. Mr. Upshall:** — Yes. For this whole Act we have letters from the industry, signed by the industry, saying that they would like this to happen — that out of the Act, and the rest of the Act as well.

**Mr. Boyd:** — The charge is currently \$1. Will that change after this Act passes or will it be maintained? And if it is maintained at \$1, how long will it be at \$1?

**Hon. Mr. Upshall:** — I think about July 1 there will be a change from \$1 to \$2. But the \$1 that is currently there now for the provincial deduction will stay; the second dollar will be for the federal, for the national check-off, which this Bill enables us to be a partner in all the . . . right across Canada. So it's at the industry's request, a dollar. And the changes in the future, of course, will be decided through industry consultations.

**Mr. Boyd:** — Will this amount of the deduction be at your discretion or will the industry set it through their recommendations?

**Hon. Mr. Upshall:** — I just checked with my officials on a couple of points. The change would have to come from the . . . to enact the change of course, comes from government through regulation, but that is from a recommendation from the industry on the provincial side, from the provincial industry. On the national side of course, that \$1 would be recommendation through the national body.

So while we make the change, it would be done in consultation and mainly at the request of the industry.

**Mr. Boyd:** — How much is currently raised through this charge and is it . . . how much is actually spent in a given year on research and development in the industry and other aspects we're told this deduction is used for?

**Hon. Mr. Upshall:** — Now just so I'm clear. You're talking about the national dollar, or do you want both?

**An Hon. Member:** — Both.

**Hon. Mr. Upshall:** — Both. Okay, so we'll have to guess what the national is and see if we have any numbers there, and we should be close on the provincial side.

As far as the collections that you ask about, for the Saskatchewan program the income from that would be \$1.1 million from the dollar levy and of course the national dollar would add another 1.1, or roughly that same amount, for the national. In total, they're expecting the national check-off to raise 6 or \$7 million a year.

And I believe you asked about expenditures. Now again, so we're clear, do you want a breakdown of what we spend now through the research, what we, meaning the industry, spends and what the national industry will spend? I don't know if we have a national budget yet; I'll check.

Under the national check-off there is . . . the board has not been

established yet and the board will create the budget. So that is not . . . that information is not available yet.

Under the Saskatchewan program, cattle marketing deductions fund, the money that they spent in 1997, I can just run down here what they spent through their budget. National beef information centre, they spent \$450 million; operating expenses, 110 . . . \$450,000, I'm sorry; operating expenses of \$110,000. The beef development centre in University of Saskatchewan, \$50,000; the cattle feeders association got \$25,000; CBEF, the Canadian Beef Export Federation, got \$100,000; stock growers, \$25,000; and the hall of fame, \$480; and the animal and poultry science, U of S (University of Saskatchewan), \$21,750.

**Mr. Boyd:** — Thank you, Mr. Minister. Does that add up to the total amount raised? Or what happens to money in excess of the expenditures for the year that we are looking at?

**Hon. Mr. Upshall:** — Well this varies from year to year. And this is a standalone fund; it does not come into general revenue, as you know, I think. Last year, 1996, under basically the same titles, although there's a few more in '96, that they gave \$60,000 to the dairy research and VIDO (Veterinary Infectious Disease Organization) got \$75,000, but last year they spent just about \$1.4 million, which was probably more than they took in. And this year they spent 738 million. So it just stays . . . if they don't spend it all one year, it just stays in the fund for them to spend it another year. But it all goes to the beef industry as dictated by the board.

**Mr. Boyd:** — Are there any anticipated changes to be made in the advisory board, the board that's in place to manage these funds? And does the provincial government make appointments to the board or does the industry appoint the board members?

**Hon. Mr. Upshall:** — Yes, there is. The industry recommends the names, and we put the names in place. The only change that is coming about this year is that the cattle . . . the western cow-calf association, which is basically not operating right now, is being replaced by Heartland Livestock.

**Mr. Boyd:** — It appears that cattle producers will be able to claim a refund from the provincial account and not the national account. Is that correct?

**Hon. Mr. Upshall:** — That is correct. The national check-off will be a mandatory check-off. The provincial is refundable at the request of the producer. The reason that the national went to mandatory is they plan on taking check-offs from imported meat. And once all provinces are under the same . . . under the national check-off, they will be able to do that. If it was a refundable program, of course they wouldn't be able to get money from the imports.

**Mr. Boyd:** — Do you anticipate any difficulties, Mr. Minister, with the numbers of producers here in Saskatchewan requesting refunds?

**Hon. Mr. Upshall:** — We anticipate no change. It was about, I think, running around 3 per cent mark, give or take, over the years.

**Mr. Boyd:** — Can the minister tell us how this Bill will affect those who sell their cattle outside of Saskatchewan?

**Hon. Mr. Upshall:** — There should be no change. The cattle for the most part are inspected before they leave, if they're going to the U.S. or if they're going to another province, and the levies are collected at that point. And so there's no problem. And we don't anticipate any change in that respect.

**Mr. Boyd:** — Now the Bill contains a clause regarding inspectors. Can you briefly take us through the procedures that are in place to ensure that all monies are remitted to your department under the Act?

(1515)

**Hon. Mr. Upshall:** — Well the collections are made by either the cattle dealers . . . the manifests that are put forward, the money follows the manifest. So if it goes to the cattle dealer then that dealer is billed. If it's an on-farm sale, a satellite sale or something like that, then the inspector would collect it there. So the money follows the manifests of the cattle.

**Mr. Boyd:** — In terms of routine inspections, do inspectors have to provide any kind of forewarning that they are going to be going onto someone's premises?

**Hon. Mr. Upshall:** — I guess for most of the time it's at the request of the producer for sales purposes. There is provisions for audits to be done if deemed necessary, and then at that time accesses would have to be provided at a reasonable time.

**Mr. Boyd:** — Thank you, Mr. Minister. I'll just close by making a couple of comments. The people involved in the cattle industry here in Saskatchewan, we believe, have been extremely responsible in the growing of the industry that we have seen over the last number of years. And it's through, I believe, through programs and Bills and Acts such as this one that have gone a long ways in terms of that growth in the industry.

The industry has put this program in place, through the government, to provide research dollars and ongoing research involvement in Saskatchewan and the industry. And we believe that that is important and we believe that it's very good to see that cattle people here in Saskatchewan are taking, have taken, and continue to take responsibility for their industry. And it certainly warms the heart of myself and members of the opposition here to see industries taking that kind of an approach to the growth of their industry here in Saskatchewan.

So we are supportive of this piece of legislation. We believe it's responsible. We believe that the cattle people here in Saskatchewan are very responsible and also we certainly . . . I'm very pleased to hear that there is a very low number of producers that don't, or opt to not participate in this type of program.

Again it is comforting to see, when people involved in various industries, in this case the cattle industry here in Saskatchewan, take the responsible approach of funding the research or helping to at least fund the research for their industry. And I think there's perhaps industries that could take some lessons from them in this regard.

So, Mr. Minister, I'll just close by saying we are supportive of the piece of legislation and we want to see the cattle industry continue to grow as we've seen it here in Saskatchewan, continue to see the kind of exports of products and animals from Saskatchewan, continue to see the industry expand and evolve into the kind of industry that we are all hopeful for.

**Hon. Mr. Upshall:** — Well thank you very much for that. I appreciate your support, not for myself of course, but for the industry, and we work very closely with the industry because the beef industry is very vital to Saskatchewan. We've seen the changes in our transportation that have taken place and we have to work diligently to try to feed as much grain as possible right here in Saskatchewan to process those . . . And the two Acts that we've done now should help that — in this case, with the research and development.

And I'd like to thank my officials for being here and working with the industry so well, trying to create that climate where we can have a very thriving cattle industry.

Clause 1 agreed to.

Clauses 2 to 27 inclusive agreed to.

The committee agreed to report the Bill.

#### **Bill No. 8 — The Stray Animals Amendment Act, 1998**

**The Deputy Chair:** — The committee will pause for a few minutes to allow the officials to gather.

Before I invite the minister to introduce his new officials, I ask the indulgence of the committee that we revert back to item no. 6, Bill No. 5, where your chairperson neglected to invite the minister to report Bill No. 5 without amendment. Is it agreed that we revert back momentarily? Agreed.

I invite the Minister of Agriculture to report the committee move . . . pardon me, the committee report Bill No. 5 without amendment.

**Hon. Mr. Upshall:** — Mr. Chair, I move that the committee report Bill No. 5 without amendment.

The committee agreed to report the Bill.

**The Deputy Chair:** — Minister of Agriculture, will you please introduce your officials.

**Hon. Mr. Upshall:** — Thank you, Mr. Chair. To my left is Merv Ross, the manager of operations in the livestock and vet operations department of Sask Ag and Food. And again, Dr. Al Choquer, director of the livestock and vet operations.

#### **Clause 1**

**Mr. Krawetz:** — Thank you very much, Mr. Deputy Chair. Mr. Minister, welcome to your officials as well, while we're going to deal with Bill No. 8.

Mr. Minister, I notice in the explanation section provided on this Bill, it indicates that this Act is going to extend to

non-traditional animals such as bison and wild boar and elk. What's been the process in dealing with these animals prior to this particular Act being put in place?

**Hon. Mr. Upshall:** — Well that's the whole . . . one of the main purposes of this Act. There was no provisions under this Act to deal with these animals and there was none. And so what we would recommend, what we recommended until such time as now where we could get the Act changed, as you know the Act . . . We sit once basically one session a year in legislature. We recommended that the people get in touch with the RCMP (Royal Canadian Mounted Police) if there was a situation where an animal is causing some problems or endangering somebody.

**Mr. Krawetz:** — Mr. Minister, the Bill defines the term, dangerous animal. Again, how have these animals been handled under the current legislation?

**Hon. Mr. Upshall:** — Well as I just stated, the animals that are now included in this Act — which are the ones I assume you are talking about — prior to the implementation of this Act, they were . . . I'll give you a couple examples. There was some problems with some wild boar that were possibly endangering some humans. There was some problems with some bison who were on somebody else's property and the owner wasn't taking responsibility.

So what we've suggested in those cases is that the RCMP be contacted and they take charge of the situation. Because we had no legal authority under the Department of Agriculture and Food to enforce anything. So when we got a call we would refer it to the RCMP because that's the only provision that was available. And to the best of my knowledge, those were handled very well.

**Mr. Krawetz:** — Mr. Minister, I would assume that this Act will be also enforced for sort of the more traditional animals as well. And I noticed that you've indicated that you've had some consultation with the Saskatchewan Association of Rural Municipalities, and the province.

Can you identify, and you've mentioned the case of wild boar, has this been a problem, dealing with dangerous animals of the more traditional variety and stray animals of the traditional variety? Or is this Act being brought into place with amendments to deal with the non-traditional animals?

**Hon. Mr. Upshall:** — This Act is being implemented to deal with the non-traditional animals. And when we open the Act up though, there was some improvements and updating we did on the entire . . . you know, on different segments of the Act.

But because there was, as you identified, and as I respond, there was no way of dealing with a wild boar that came up onto your doorstep or was threatening you or your family. If someone were to take the matter into his own hand they would be possibly liable.

(1530)

So there was enough cases, enough of a concern. And I guess the main thing is that in Saskatchewan today we are seeing the bison industry grow in leaps and bounds. We see the elk

industry increasing by about 20 per cent a year. And we've seen a large increase in things like wild boar and other exotic animals. So in the production of these animals there will be sometimes escapes.

And just like when we produce . . . If you had a bull that was maybe not the most pleasant beef cattle breed, was not maybe the most pleasant personality in the world, and he got out and threatened people, we have laws under this Act to deal with that. The same way, we need laws to handle these new breeds and new animals or species that are coming in.

**Mr. Krawetz:** — Mr. Minister, section 2, or clause 2 indicates that the municipal administrator is probably going to be the one that will have enlarged responsibilities under this Act. And as indicated, it's probably he or she that will be most likely to be appointed as administrator of the Act. Is that what this clause is actually saying?

**Hon. Mr. Upshall:** — Yes. No change there, basically. The RM appoints someone to administer the Act. That would be . . . they'd appoint a poundkeeper and the poundkeeper then is responsible for if anyone calls in to register a complaint, the poundkeeper would then go to work and rectify that.

**Mr. Krawetz:** — In your consultation with rural municipalities, have they identified a problem with that section of administration, that is having to appoint a poundkeeper or the secretary-treasurer to actually handle the administration of the Act?

**Hon. Mr. Upshall:** — This Act is the same as . . . will not be changed with respect to the fact that the administrator of the RM, or the secretary as you called it, administers the Act for the government. They appoint a poundkeeper. There have been instances, not just because of the new animals coming in, but there is some problems in some areas of finding someone who wants to be the poundkeeper. The RM has a bit of trouble appointing someone because nobody wants to do it.

In this Act we've built in provisions whereby if the municipality can't find or doesn't have a poundkeeper, then the animal can be handled by moving it to an area where there is a pound. At the end of the day if there is a problem, then it does lie on the Department of Agriculture and Food to enforce the Act.

**Mr. Krawetz:** — What will you be talking about in terms of actual financial costs to a municipality?

**Hon. Mr. Upshall:** — The rural municipality, the RM, incurs a cost of impounding, maybe capturing, transporting, or whatever else it takes to get an animal under control. They incur that cost. That cost is then billed back to the owner of the animal. And if the owner doesn't pay, then of course the RM has the right to sue.

If an animal . . . if no one claims it, the RM, after a period of time, can sell the animal. The proceeds will go to the RM to cover the cost of that action, the cost that they incurred.

**Mr. Krawetz:** — Follow-up to your comment, Mr. Minister. When a municipality cannot identify through the poundkeeper



system whose animal it is, and it's a stray animal and they've incurred costs, what . . . Have you had any indication from RMs in the past as to how big a problem this is in Saskatchewan?

**Hon. Mr. Upshall:** — There has been . . . there was no indication from the RMs to the government that there was a problem in the past. But during the consultation process this came up as kind of a “what if” scenario, if this happened. And so then we tried to outline the procedures in the Act as they . . . who the responsibility . . . who incurs responsibility at the end of the day.

So as I said, they do the capture and the transport, and then they will recoup that from the owner or from the sale of that animal.

**Mr. Krawetz:** — Thank you, Mr. Minister. Mr. Minister, I think one of the sections deals with the removal of regulations around the construction of the actual pound. Why did this take place? And what were the reasons for that?

**Hon. Mr. Upshall:** — The problem is that with the specialized livestock that we have now, like bison for example, where a fence sometimes, a barbed wire fence six or eight strands, would mean a nice back-scratch if they decide to go through it, although they are basically domesticated animals and they are fenced with barbed wire and respect those things like all other animals. But from time to time there may be an escape.

It wouldn't make any sense for each RM to have to build a facility that could hold and contain a bison that was very upset — these things are very powerful animals. So what happens then is that they don't have to build a . . . everybody doesn't have to build specialized handling facilities. They can sedate that animal and transport it to somewhere where there is a facility.

You know, that may even mean . . . well there are several bison producers around and they have handling facilities that can contain these animals. We have facilities through the exhibition association here, specialized livestock handling facilities. So that just gives them a little break so they don't have to incur the costs, each one of them incur the cost of facilities that could be very expensive.

**Mr. Krawetz:** — You've indicated in the Act under one of the clauses that if the municipality cannot determine who the owner is and decides then to rid itself of the animal by actually selling it, that they must maintain a record of sale for two years. What is the purpose behind that section?

**Hon. Mr. Upshall:** — I was just checking to see . . . this is not changed. It was 24 months in the old Act, it's 24 months in this Act, and the basic reason is for cases of lawsuits that may be incurred down the road. The reality is for most RMs the file wouldn't even be an inch thick, I don't think, on their animals. So it takes up very small space and it's for the safety for themselves, to cover themselves off, and two years seemed like a reasonable length of time.

**Mr. Krawetz:** — Mr. Minister, you mentioned that some of the RMs do have difficulty selecting a poundkeeper or appointing one. Are there any qualifications or any standards that this Act will be setting to the RMs regarding the appointment of a

poundkeeper?

**Hon. Mr. Upshall:** — The person who is appointed poundkeeper doesn't have to have any training. All that the RM would be looking for is someone who is prepared to look after the health and welfare of that animal in a humane way while it's being captured, while it's being impounded. So they would select somebody, you know if they could find somebody who knew something about the elk industry if there was lots of elk in the area, that might be an advantage. But it's just the humane treatment of animals that is the main thought here.

**Mr. Krawetz:** — Mr. Minister, as you've indicated, this is introducing the ability for the municipalities to handle non-traditional animals. But I think a lot of the traditional animals, especially the cattle, I think as stray animals, will fall into this section as well.

Do you feel that the changes to the Act dealing with the stray animal section will help the RM in being able to speed up the process, in being able to deal with that stray animal, either in finding its rightful owner, returning it, or with dealing it. Does this allow a much more speedier process?

**Hon. Mr. Upshall:** — Well you can't say definitively because the Act . . . the new animals have not been in the Act before. We don't anticipate much of a change at all as far as the time. There are some prescribed time lines in the Act that the animal has to be held . . . an animal has to be held for a certain period of time, and a decent attempt to find the owner, or . . . which is just, right.

The reality is that this Act is a safety. There are very few cases, but we do need to include the new animals in the Act. In terms of an elk, for example, if an elk gets out of an enclosure it doesn't wander off; it likes to get back in because that's its home. If a bison is spooked and runs off, sometimes they're hard to handle. Wild boar is very aggressive from time to time and can be a threat.

So this Act will allow the municipalities to better protect their citizens because there are some prescribed ways in which they handle these animals that they didn't have before.

**Mr. Krawetz:** — Mr. Minister, your definition of dangerous stray, has this changed with the addition of the non-traditional animals, or is it the same definition as was in the old Act?

(1545)

**Hon. Mr. Upshall:** — The dangerous stray is a new definition in the Act and it's there basically to give some guidelines as to what a person or an RM might do — an RM in case of collecting the animal and impounding it or an individual in terms of what might happen.

And it wouldn't really matter if it was a bull or a beef cattle that was being aggressive and threatening somebody's life or children — or a bison or a wild boar. The dangerous stray is in the Act to ensure that there is a process that we can go through, that liability is known. Right now if you went out and there was an animal endangering you and you had to destroy it, there's really no rules on liability. And so this Act prescribes some of

those things and lets you know what you can and cannot do in terms of an animal that is dangerous in your presence.

**Mr. Krawetz:** — Thank you, Mr. Minister. Mr. Minister, in the definition of dangerous stray it refers to the actual determination of that stray; it says: in the opinion of a veterinarian. That's on page 1 under definition (c).

Then on clause . . . or section 25 it refers to again dangerous stray — and I'm just pulling the words out of there — it says: if a poundkeeper believes may be a dangerous stray. Now who is actually going to determine whether or not the particular animal is a dangerous stray? Does the poundkeeper, through the administrator, have to call a veterinarian or is that decision going to be made by the poundkeeper himself or herself under section 25?

**Hon. Mr. Upshall:** — Yes, the Act outlines, in section 25, it outlines if a poundkeeper . . . it's worded, if a poundkeeper or a finder believes that the animal is dangerous. What happens is the veterinarian will advise the administrator, who will advise the poundkeeper, whether or not the animal is dangerous or a potential danger, is a potential danger. Now that is in instances where you have time to determine that.

But further on in section 25, if that animal is threatening you, threatening your life or your children or someone in your family or neighbours, then there's provisions in the Act for that animal to be destroyed. And that's in there because right now if an animal was threatening you and you destroyed it, there was no . . . you may or may not be liable. I think you probably wouldn't be. But now we're putting it in the Act.

**Mr. Krawetz:** — Mr. Minister, under that same section, 25, there's reference under clause 7. And I know in my constituency we have a lot of bison farmers, we have a lot of elk farmers, and of course we still have the traditional cattle farmers.

Under section 7, and I just want this for clarification because I do know of a number of incidents that involve cattle, where it says that the proprietor, I guess in this case it is the owner of the land, and I'll use that owner to be, just to give you an example, who's a grain farmer, okay, who has an unfenced grain field. And it says that the strays have repeatedly damaged, okay, so therefore they must have been into that crop a couple of times or more.

The second clause, part (b), says that the stray is on the land, and of course because it's unfenced, because there are no corrals, because there is no system of capturing that animal, that condition is met.

The third one says that the proprietor has notified the administrator. It doesn't talk about a time period there, so I guess it's a phone call to the person right now. And then the third thing it says, that the administrator authorizes the proprietor to kill the stray.

Now I've heard those threats — idle threats so far — in one area where the particular grain farmer is saying — in this case it was cattle — if they're out there again I'm going to do damage to those animals. This clause is saying that the proprietor can

get that permission from the administrator. Isn't this putting a lot of pressure on the administrator?

**Hon. Mr. Upshall:** — The administrator works as a staff person for the council. And in a case like this, you have to put it all together. It says repeatedly harmed, damaged or destroyed. So that means it's not just like one instance. I know what you're getting at. We all have people in our neighbourhoods who do feud from time to time, and if the prize bull gets out and somebody has a little bone to pick, it may not be very healthy.

But there is liabilities involved in there. That's why this is in here — repeatedly — meaning that the animal has been in, chased off, been in, chased off a few times, and the stray is on the proprietor's land and the proprietor has no reasonable means of capture — that means that they can't corral these things — then the administrator has the . . . can authorize someone to destroy the animal. But that would be done in consultation with the council, probably.

Because what happens here is we . . . and this is the area where you have to be very cautious and this is the area where we spent some time trying to find the right line in terms of what can and cannot be done, because you can't allow someone to go out there and destroy a very valuable animal, any animal, and by someone else, without good reason. And this process sets out the good reason.

**Mr. Krawetz:** — I'm glad to hear that, Mr. Minister, because as I indicated in the example that I gave you, was probably one dealing with cattle, but as we get into elk and bison, we're talking about very, very valuable animals and I wouldn't want to see the administrator work sort of on his own by granting someone the right to start, you know, eliminating animals that have strayed. I think that's the point that you're making, that this clause can indeed look after that, if the administrator and the council and everyone involved are doing their job, with more expensive animals.

One more clause or section, Mr. Minister, that I'd like you to clarify. I don't know in terms of which animals you were referring to, but why would something be considered valueless? We have a section that determines valueless strays. What kind of animal will fit into the category of being valueless? There must be something . . . I mean the old saying, I think, is that someone's garbage is another person's treasure. Surely we will always have a value to a particular animal that you've identified that will be dealt with in this Act.

**Hon. Mr. Upshall:** — Well the best example I could use would be an animal with disease, that has no value for meat and somebody gets away and somebody doesn't want to look after that animal because it's no value to them, then that would be a valueless animal.

**Mr. Krawetz:** — Okay, thank you, Mr. Minister. I didn't read that section that way but I think what you're indicating then is there will have to be someone that will determine that it's valueless, most likely the veterinarian I would assume.

**Hon. Mr. Upshall:** — That is correct. The veterinarian would . . . (inaudible) . . . value it.

**Mr. D'Autremont:** — Thank you, Mr. Deputy Chair. Mr. Minister, you made a comment that if the RM wasn't prepared to appoint an administrator that eventually they could contact the Department of Agriculture.

Who would they contact in the department in the case of a stray, to report it, to ask for some intervention, and who would the department send out to deal with it?

**Hon. Mr. Upshall:** — The responsibility would lie with the director basically of the department . . . the section of the Department of Agriculture and Food, and this in this case it will be the livestock and veterinarian operations under the direction of Mr. Choquer. And the Act states that the minister has the authority to either appoint the finder as a poundkeeper then, or arrange for the animal to be moved to a sufficient pound.

And the person, if the RM doesn't have someone, they probably will have the number or the name of the right people to contact in the department. If not, they just have to contact the livestock branch, and I don't know how they would know that if they didn't go to the administrator or else just phone my office or somebody else in the department.

**Mr. D'Autremont:** — How would they contact your department after hours or on weekends? Not all of these animals become strays between 8 o'clock in the morning and 5 o'clock in the afternoon.

The reason I ask this is one of my RMs indicated to me that they weren't interested in acting as poundkeepers. They were not interested in, as councillors, in being the ones that administered the Act in rounding up their neighbours' cows and taking them to the pound and charging a fee or whatever it might be as a penalty. They wanted somebody else to have to deal with the neighbour.

So in this particular case, they could phone your department, but who would they contact after hours or on weekends?

**Hon. Mr. Upshall:** — You can give them my home number, that's true. And I would gladly accommodate them if it was necessary. But the reality is there normally is nobody around on the weekend. I guess the same could be said for the RM if the administrator was away and somebody had an animal on the weekend.

I think what happens here is that the Act, if that animal is dangerous or causing damage to property or humans, of course then if they have evidence of that, the animal can be . . . they can destroy the animal. If it's not causing damage to property and/or person, then they would be waiting till Monday, the nearest work day, to make contact.

**Mr. D'Autremont:** — Mr. Minister, when you say damage to property, that is a pretty broad definition for the purposes of destroying the animal. If a cattle producer's livestock is out in his neighbour's wheat field, he's destroying his property. I would think to destroy the animals would seem to be a little extreme at that particular point in time. So I think there needs to be some other method to deal with it.

Certainly the administrator who would normally administer this

Act in the RMs might not be home, but everybody knows who the councillors are. Everybody knows who the reeve is. Out of those seven people, and the administrator making eight, there is generally somebody there if the RM is going to administer the Act.

But in the case where the RMs are not administering the Act, how do they contact somebody to deal with the situation? Because surely the fact that the animals are out in someone's wheat field is not a good enough reason to destroy those animals at that point in time.

**Hon. Mr. Upshall:** — Well there are a couple of options that are available. If it's an emergency and it has to be done on the weekend, of course there's always the RCMP who are available. And if it's, you know, causing damage and the RCMP is called and that damage exceeds or is significant enough to warrant some kind of compensation, then of course the RCMP are there for witness and that type of thing.

The other thing that we can do and we do in other areas is provide a contact name to the administrator. I mean you're right, we know the councillors. The councillors may or may not know the process, so the administrator really is pivotal here. Even though we know the RM, if the minister is away we may have the same difficulty at the local level.

But what we do in this case, another option is to have a name of a person available on seven days a week. And that's not a problem.

I understand your question. It probably happens . . . would happen very, very rarely but I guess if there's a need to do that we'll accommodate that need.

(1600)

**Mr. D'Autremont:** — I think there would some value, Mr. Minister, in actually having a contact number for people in the RMs to contact in the case of stray animals where there is no one who is administering it on the local level.

And we all have, as you admitted yourself, those chronic abusers who believe that once the pasture is worn down in their own field, open the gate and let somebody else look at them. I don't know whether these stories are true or not, but I've heard the story of the neighbour who loaded his neighbour's cattle up on the semi and shipped it to the market and sold them in his name. Solved the problem. I'm not just sure what would have happened in the meantime if he'd have got caught doing it before the cheque was written, you know.

So at times there needs to be some sort of a means of dealing with those issues and a lot of times the RMs, the councillors, are not prepared to deal with it because that's their neighbour who lives 3 miles down the road. So they are looking for somebody else to fill in that gap.

If it's simply a case where somebody's animal gets out once, it's not a problem. It's where you have a chronic situation that's ongoing, year to year; it happens every year at certain times of the year — somebody opens the gate and the animals are all out.

So I think in that particular case you need to have a contact available who's prepared to deal with the situation and who can deal with it even on the weekends.

The other thing, Mr. Minister, is when we get dealing with some of the other more exotic animals, such as elk, how do you determine that that elk out standing in the middle of a field some place is a tame elk or a wild elk? There may be elk producers in the neighbourhood, but how do you know if that animal standing in the field is a tame elk or a wild elk; how do you determine that if it's threatening — as we know, at some times of the year elk can be quite aggressive; it's coming into your yard and threatening either your animals or some of the people who live there — how do you determine whether that's a wild elk or a tame elk?

**Hon. Mr. Upshall:** — You would be able to identify it by the tags in the ears. It's just like a lot of cattle have ear tags. That's one way of visual identification. It would be . . . I'm not an expert on elk, although I'm learning an awful lot about them. I have not to my recollection or have anyone . . . had anyone relate to me the fact that a wild elk would be in your yard threatening your animals. If that were the . . . if an elk were in your yard, you could suspect that it was a domesticated elk because they are much tamer.

And the reality with elk is that the escapes are reported basically by the producer. They want to get the word out that their elk is gone because most of these animals are in the 20 to \$50,000 range.

So an elk, as you described it, out standing in a field, how do you identify it if it was causing any damage . . . I mean SERM (Saskatchewan Environment and Resource Management) is also involved with wild elk or our department. But basically they're tagged, and you can do that, you can identify through tag. And for the most part, you could identify it by the action of the animal.

**Mr. D'Autremont:** — Well, Mr. Minister, if there's an elk out there that's acting aggressively I'm not sure I want to get close enough to determine whether he's got ear tags or not.

So the other thing, having watched elk in Banff Park in the fall, they do — supposedly those are wild — they inhabit the town and can be very aggressive. In fact I've even seen them chase people myself the last time I was there.

There is also a problem with wild elk though approaching elk farms in search of animals of the other sex or to fight with the bulls that are already in there. What happens in the cases where those kind of elk are causing a disturbance or causing property damage? What's the procedures in those particular cases?

**Hon. Mr. Upshall:** — I think you made the point yourself with the elk in the parks. Those elk who are around people all the time are very . . . would be the same . . . act very similarly to the elk that are domesticated and inside the fences here. And the difference is there's no fences to surround them in the park and there is here.

And the wild elk, I've never seen a truly wild who — you know, with the exception of the Banff, who may be termed wild

but they're living with . . . they're semi-domesticated — I've never seen a truly wild elk, never seen it, never heard of it, causing any damage. Not that they can't but it's very, very rare.

If there is an animal in season that is being aggressive — and this happens from time to time — where they basically try to or tear apart the fences to get at . . . a bull elk will tear a part of a fence, or try to, to get at a cow that's in an enclosure. In that case the producer would call SERM because SERM has responsibility for the elk in the wild.

**Mr. D'Autremont:** — Well thank you, Mr. Minister. By the time SERM ever arrives, because they generally are not anywhere in the neighbourhood . . . Sort of like police. They're around when you don't want them, and when you're looking for one, you can never find one.

What has been happening in my area is a phone call to the local Metis, and that solves the problem fairly quickly. And I'm not sure that's the appropriate measure but that seems to be the measure that is working. And so perhaps in some areas there needs to be some clarifications as to exactly what the procedures are.

**Hon. Mr. Upshall:** — Well that can be taken up with the appropriate ministers in government, but it has nothing to do with this Act.

Clause 1 agreed to.

Clauses 2 to 23 inclusive agreed to.

The committee agreed to report the Bill.

### THIRD READINGS

#### Bill No. 5 — The Animal Products Amendment Act, 1998

**Hon. Mr. Upshall:** — Mr. Speaker, I move that Bill No. 5 be now read a third time and passed under its title.

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

#### Bill No. 6 — The Cattle Marketing Deductions Act, 1998

**Hon. Mr. Upshall:** — Mr. Speaker, I move that Bill No. 6, The Cattle Marketing Deductions Act be now read a third time and passed under its title.

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

#### Bill No. 8 — The Stray Animals Amendment Act, 1998

**Hon. Mr. Upshall:** — Mr. Speaker, I move that Bill No. 8, The Stray Animals Amendment Act be now read a third time and passed under its title.

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

(1615)

## COMMITTEE OF FINANCE

General Revenue Fund  
Highways and Transportation  
Vote 16

**The Deputy Chair:** — Before we begin, I'll invite the Minister of Highways to introduce her officials.

**Hon. Ms. Bradley:** — Thank you, Mr. Chair. I'd like to introduce first my deputy minister, Brian King, to my right; and to my left, Bernie Churko, who is the executive director of logistics planning and compliance; just right back behind the deputy minister is Barry Martin, the executive director of engineering services; and right behind me is Lynn Tulloch, the executive director of corporate information services. Thank you.

## Subvote (HI01)

**Mr. D'Autremont:** — Thank you, Mr. Deputy Chair of committees. I'd like to welcome the minister and her officials here today.

Highways are certainly a very important part of Saskatchewan's infrastructure, and the shape of them is even more important and more critical. And I think the term "critical" applies to a good many of those particular roads and highways that we have around this province because they are indeed in very critical condition, in sad shape, and in desperate need of repair.

Now there are a few good roads; I don't want the minister to think that I'm referring to all roads, because there certainly are some good ones, and I'd like to point one of them out — 33 Highway from Lajord into . . . Lajord or Kronau into Regina is a very good road. I'm not exactly sure why you rebuilt it here a couple of years ago because it was a good road before that, but it is a very good road today.

There's a lot of other roads around the province though, Madam Minister, that are in very sad shape, including some of those in your . . . in the southern part of your constituency. If you have to drive down to Ceylon and Radville, you will find out just how poor some of those roads can be; or certainly talking to the people from that area, they have a great deal of concern about those particular roads and a good number of other roads around the province.

We sent you some global questions, Madam Minister. They were sent to the government for all departments, to be distributed to all departments. Did you receive those questions and do you have the responses available?

**Hon. Ms. Bradley:** — Well it's my understanding that we did receive those questions just this week and that we will have a response by the end of May for those.

**Mr. D'Autremont:** — Well thank you, Madam Minister. I guess we'll have to check and see why you've just received those questions because they were sent across to the government at the beginning of session — so we're in day 36, I believe it is — so a month and a half ago they were sent to the government; so I don't understand why it has taken so long for

them to reach your department . . . (inaudible interjection) . . . The minister from Energy and Mines said that the dog ate his homework and that's why it didn't get it. I think perhaps that's the dog that's been nipping at him from the Channel Lake affair.

Madam Minister, since you don't have the globals available, perhaps you could provide us with a list of projects that you are proposing to either do construction or rehabilitation to the highways that are currently in Saskatchewan.

**Hon. Ms. Bradley:** — Yes, we'd be able to send that over on major upgrading, intensive preservation, the kind of work that we'll be doing on our highways and roads this year.

**Mr. D'Autremont:** — Madam Minister, would it be possible to have that list fairly shortly so we could be looking at that to determine which roads you are actually going to do some work on, which ones you're not going to do some work on, for our consideration and evaluation as to determine whether or not the roads are appropriate.

I talked about 33 Highway, the area closest to Regina. There was a bridge there that needed fixing, but certainly not 32 kilometres that was in desperate need of repair, which is what was done to it. There was other highways across Saskatchewan that certainly needed it a lot more than that.

So while we're looking at the information you're sending across, can you please outline for us the major projects that your department is moving ahead with this year.

**Hon. Ms. Bradley:** — Well I can certainly just give you kind of an overview on where we're at with our budget this year. As you were saying, on the conditions of highways and roads in this province, we certainly have made a commitment. We made a commitment last year in our budget, over 10 years, of \$2.5 billion. This year we had the additional increase of \$20 million, followed by last year's increase of \$30 million, to our budget to address the needs of highways and transportation and roads across this province.

I think everyone recognizes the importance of it for the economic and the social development of our communities. Now in this year's budget, under the construction projects in which I've just sent you, some of the major work is the twinning projects, which is the twinning west of Wolseley to east of Indian Head of 21.3 kilometres; the twinning west of Gull Lake to Tompkins of 27 kilometres — those would be a couple of our more major projects.

We are doing a lot of work in grading and new projects, like Junction No. 16, Lloydminster; the north of Humboldt to Pilger; Unity to Grid 787; the North Portal border crossing improvements. We're completing the Besnard Lake Road 14 to 33 kilometres north of Junction No. 2. We can go on that list — Junction No. 5 to Grid 756, that's a major project that we're doing. We're completing the Athabasca Road in two different sections there. Another Junction No. 155 to south of Turnor Lake, completing 16 to 31 kilometres east of Junction 903.

In total, of the grading contracts there, we've got 307.2 kilometres. If you look at the surfacing projects that are being

done, there's a number of those of 226.4 kilometres. We have a number of preservation, resurfacing projects — 340.5 kilometres. And so I don't know if you want me to go through the list. We've sent the information over, but that would indicate a lot of the major work that's going to be done in this year's budget.

**Mr. D'Autremont:** — Thank you, Madam Minister. In a quick glance over the list I notice that very little of that work is being done in south-east Saskatchewan where there is a very significant load on the highways because of the oil industry in that area.

When you give consideration to building highways, Madam Minister, do you take into account the type of traffic that is going over those roads? Do you take into account the consideration of the heavy-haul oil industry trucks and grain industry trucks versus passenger vehicles? Is that part of the formula?

**Hon. Ms. Bradley:** — I think in all of the planning that goes into the highway and road construction, you certainly do look at, first of all, the type of traffic, definitely the volumes of traffic, what the needs are in each area. So we've got a number of things kind of going on because we're seeing a number of changes also to our transportation system. So we've been working with SARM, SUMA (Saskatchewan Urban Municipalities Association), and our department on the reclassification project in identifying both the kinds of needs and the type of roads that are out there. And looking at all the kinds of services that are present.

So we're looking at doing the provincial system, the national system, and so on. So there's a reclassification being looked at. It hasn't been finalized and we're certainly working at looking at the uses and the needs in each of those areas. Also the transportation area planning committees that are up, in progress, they also are working on helping coordinate on what kind of things we need to do even between the municipal government and the province. And when you talk about heavy truck hauls, that is certainly one thing to look at and should we be designating some more roads on that, and coming up with some agreements between municipal government and the province.

But I think we have to look at definitely the kinds of traffic and the types of traffic, the volumes. All of those things go into the decisions on what roads and what kind of work will be done.

**Mr. D'Autremont:** — Thank you, Madam Minister. I think you definitely need to be looking at the types of traffic. That's why I asked the question. Are you looking at the types of traffic? Are you giving consideration to the fact on No. 13 Highway between Stoughton and Arcola is a very heavy-haul area with oil trucks. Is consideration being given to that and for the condition of that highway?

In 1993-94-95, the part that's the worst shape is actually . . . was in the Weyburn constituency at that particular point in time and needed to be fixed up. Obviously I never heard the MLA of the area at that time speak up in favour of getting anything done to that road and nothing happened to it. But perhaps because of the heavy traffic that is continually hauling over that road, going to the terminals south of Carlyle, or over to Alida, there

needs to be something done about that particular road. It's a dangerous piece of road. It continually breaks up every spring and is rough for the rest of the season, Madam Minister.

Is any consideration being given to doing some repairs on that road, to upgrading that particular road? It's a road with . . . it's a thin membrane surface; basically simply a dust-free surface and with no shoulders on it. Is any consideration being done, because of the heavy traffic that's on that road, to repairing, improving that road?

**Hon. Ms. Bradley:** — On that highway piece that you're talking about, there is work that's going to be done on intensive preservation on that piece. In some of the decisions on where we will be doing major upgrades and so on, it's part of our decision planning to also work with area planning, which does look at the kinds of traffic like you're saying.

I think one of the things that we're faced with right now in this province is the changes also in grain transportation having an impact. Definitely the importance of the gas and oil industry is important.

But we have to make sure that where we are putting the dollars in for those major upgrades is going to be the key for a significant amount of time. And so there is major intensive preservation work being done on that piece but at this point in time it's not being upgraded.

**Mr. D'Autremont:** — Well thank you, Madam Minister. When you talk about preservation I wonder if you could indicate to us what you actually mean? Does that mean you're going to fill the potholes up with something that's going to stay there for a little while? Or does it mean in the wintertime you're going to fill the potholes up with water so it freezes and at least there's a smooth surface until spring.

(1630)

**Hon. Ms. Bradley:** — Okay, on the piece that it'll be getting like intensive preservation, it is more than just filling potholes.

It doesn't refer to though . . . Like that would be kind of the more routine kind of maintenance upgrading measures. But what we . . . with intensive preservation it can be, depending again on each piece of highway, it can be involved in anywhere between \$3,000 to \$20,000 per kilometre of major work in trying to maintain that piece of road.

But intensive preservation does not mean it will upgrade the road. But it's intensive work that is done in maintaining the surface of that road.

**Mr. D'Autremont:** — Thank you, Madam Minister. Well that particular piece of road needs more than just surface work. There is a stretch in there about 2 miles east of Stoughton that, in a low spot and the bottom, is very soft; it pounds out every year. There's a stretch in there of about 2 miles that breaks up every spring. It's too soft. It should really be dug out, a new base put in, and resurfaced. Is that the kind of thing you're talking about in, of intensive preservation?

**Hon. Ms. Bradley:** — That is kind of . . . I think your

description would kind of be along the line of what that means. It does mean though you can remove and replace entire sections of the highway still.

It's more than just doing, like I said, the surface, but we're not adding . . . when I said it's not like it's a resurfacing whole project, but sometimes, like if there's an area that needs some intensive work, it may be, like you say, kind of scraped out, rebuilt in that particular area.

**Mr. D'Autremont:** — So on this particular piece of highway, the stretch is roughly a mile to 2 miles long. Would that entire piece of road be dug out and rebuilt then?

**Hon. Ms. Bradley:** — On that specific one we'll have to get back to you. We'll get the work plan for it because we just don't have that available to know the exact work that's going to be done on that piece.

**Mr. D'Autremont:** — Thank you, Madam Minister. I note that that particular highway is not mentioned in your report. So that's why I wasn't sure exactly . . . If it is, I must have missed it because I quickly glanced through it.

That's on 13. And so that's why I was enquiring about that particular stretch.

And I recognize that 13 Highway goes right through your constituency also, Madam Minister, and so I'm sure that those people from the Manitoba border to the Alberta border have a great deal of concern with 13 Highway. I know when we were down to a meeting at Eastend, I believe it was, or Laffleche the other day, people were certainly complaining about that stretch of road from Shaunavon across to Cadillac, about how poor that particular road was and how broken up it was. That it was literally dangerous to drive on it because of the pieces of pavement that were coming up on that particular road.

And that's not an unusual circumstance, Madam Minister, around this province. I know that your own constituents have complained about the north-south highway — I can't recall the number of it, perhaps 35 — that runs through your constituency, or 25. I should have my map here so I can look up all these numbers, but the highway that runs down through Radville and that direction has caused a great deal of concern for people.

One of the things that people are very concerned about with the Highways department and the highways, is the damages that are caused to their vehicles by hitting the potholes, by breaking wheels, by destroying their axles. What is the department's policy on paying for those kinds of damages where a vehicle hits a pothole on the road that's unmarked and causes some damage to their vehicle?

**Hon. Ms. Bradley:** — First of all I just wanted to comment on some of the remarks there also on Highway 13 because that certainly is an important highway across the province, the Red Coat Trail. And actually I have been out to the communities and met with in Eastend and with some people also from Shaunavon, and they were working very closely with the department people there on looking on the types of work that can be done and the preservation work that will be done on their

highways in that area.

I also want to comment on some of the other highways within my constituency. As in many of the thin membrane surfaced highways throughout the province, we're doing over 2,900 kilometres of low volume highways in intensive preservation.

But on the part where you say that . . . asking the question about the potholes and if somebody has some damage claim, there's kind of three categories in that. If it has been clearly marked and there is a way that it could have been avoided, then we're at no fault. There probably would not be a damage claim paid. If clearly there hadn't been marking and it was our fault that the damage had occurred, definitely the claim would be paid.

Now sometimes there are those that are, I guess, in between the two categories a bit; there's some question, and we try to sit down and get a very clear understanding of what the circumstance has been and try to negotiate a suitable agreement. Thank you.

**Mr. D'Autremont:** — Thank you, Madam Minister. Some of these potholes always seem to be just over a rise and when the sign marking the pothole — if it's there — at best is situated right beside the pothole, it does cause problems.

And I know that some of the signs have reflective tape on them. I'm not sure that they all have. I notice at nights you'll come up to a pothole and you're on it before you actually have a chance to react to that pothole, particularly if there isn't any reflective tape beside the pothole. So there is a concern in that area, Madam Minister.

You said that there was three different categories. I guess that's the kind that you're clearly at fault, the kind that the driver should have been able to avoid, and those that are in the middle.

I wonder if you could give us how many complaints you get, and how many fall into the various categories.

**Hon. Ms. Bradley:** — The information that I have here is we've had about . . . what we get, approximately, is 300 to 400 formal claims in a year. And they can cover situations that range right from, you know, something that might only be worth about \$20 to a large claim. But we . . . at this point I don't have them broken down to be able to give you that and we could certainly try to look into the different aspects, but I just don't have those numbers available.

**Mr. D'Autremont:** — Would you have some indication, Madam Minister, as to how many claims that were settled and you paid out on?

**Hon. Ms. Bradley:** — I do have what we settled in the last fiscal year, that we paid 100 of the 300 claims. The average claim was about \$400.

**Mr. D'Autremont:** — Thank you, Madam Minister. Four hundred dollars for hitting a pothole seems to be a fair amount of money. When you look at a hundred claims, you're looking at \$40,000. I realize that wouldn't fix a mile of road up to No. 1 standard by any means, but it certainly is an indication of the problems that are out there, Madam Minister, that we do need to

start improving our highways.

You've admitted, Madam Minister, that you're working at improving the highways. But I look at last year's budget, and over a 10-year period you're talking about putting \$250 million a year into construction and preservation and maintenance of roads. But you fell behind by 52 million last year.

This year in your budget you're falling behind by another 32 million. So some place in the future — and I would indicate to you, Madam Minister, it won't be in your future as the Minister of Highways — to meet that commitment is going to have to come up with an additional \$84 million at some point in time to make that up.

So, Madam Minister, if you're going to put \$250 million a year into the highways over a 10-year period, why didn't you at least put \$250 million in at the beginning of it rather than at the end perhaps. Because if you did it at the beginning, the roads would have been in better shape, you wouldn't have to do as much maintenance in the meantime, and you wouldn't have to do as much preservation and it wouldn't be in a position of doing such a difficult job at the tail end of it.

If you're going to fall behind with these kind of averages every year, it's going to take you five years just to come up to the 250 million and you're probably going to be looking at a shortfall of 150 to \$200 million to be made up in five years. That's simply not acceptable, Madam Minister. The money has to be dedicated at this time not in the future.

You're bringing in roughly 380 million, 350 to 380 million in fuel taxes. You're bringing in between 80 and \$100 million in licensing fees. You're looking at \$450 million that you're collecting from licensing fees for vehicles, and for highway fuel taxes for fuel taxes, and yet you're not putting anywhere near that money into the Highways department. You should at least be making up the \$250 million, Madam Minister, that you've been promising, that your Premier has been promising will be spent on highways on average for the 10-year period.

**Hon. Ms. Bradley:** — Okay, I am very glad that you kind of asked this question, because we have made the commitment and the commitment is good on the 2.5 billion.

Now it's very interesting. It's kind of, I guess, the way that you would like to do math, but put more dollars in, like you say, sooner than later. It's all part of, of course, a balanced budget is what we're talking about here. And these dollars . . . I mean, I know maybe that's a new concept to you, but we have to take our time. And as we can increase our dollars, we will continue to invest in the priorities, and one of those priorities very definitely is Highways and Transportation.

Now one of the interesting things that . . . Now today I just was at the road builders and I've certainly met the road builders on various occasions. And what they have said also, what they're very pleased with is that they have got a long-term commitment and that we didn't ramp up the budget too quickly, because you get into other factors, so that they have time that they want to build their industry.

We also have to be very concerned about the inflation factor

that, if you put too many dollars in too quickly, you're not going to be able to . . . you're driving the cost up of building those roads.

And they actually commended us that we've given a long-term commitment, that they know that there's increased dollars coming over the next 10-year period so that they can be spending \$2.5 billion on our highways and on our roads. So last year we added \$30 million. This year we're adding \$20 million. And next year we'll be able to add some more dollars.

But again we have to do it in a balanced budget scenario because we still have to work at some tax reduction, some debt reduction which I'm sure you'd be familiar with. And I just want to mention where some of that fuel tax goes — is that we still spend \$2 million a day on interest in this province. And you know, a month or two of that interest could certainly help out our Highways budget so . . .

Now one of the things that we've also done with the increases in our dollars in our budget, and if we actually relayed it back to fuel tax revenues. I mean, like I've said, we've been trying to increase the dollars there but we still have an interest cost to pay.

Now one other thing is that we certainly also would like to see some partnering on the federal level to put dollars into a national highways program. Also dollars into a rural infrastructure program in order to build the transportation system in this province because we are certainly affected by some of the federal policies.

**Mr. D'Autremont:** — Well thank you, Madam Minister. I certainly don't have any disagreement with you that the federal government should be putting some money in. But you're responsible — you're the Minister of Highways in Saskatchewan. Nobody else has responsibility for highways in Saskatchewan — you do.

The federal . . . there's no federal Minister of Highways — a Minister of Transportation, but his portfolio is not to deal with highways in Saskatchewan. You can certainly try and convince him to put money in, and I hope you succeed. But it's your responsibility, no one else's, Madam Minister.

You talk about where the money is going, why you can't put the money that you're collecting for highways into highways. Well I guess it's a question of priorities, Madam Minister. You had 30-some million dollars to spend in Guyana. You lost \$16 million on NST, about \$30 million for your Crown Construction Tendering Agreement to favour unions, \$1.4 million lost at Saturn, over \$2 million lost at SaskPower Commercial.

You certainly have money for those areas, Madam Minister. You know if you added all those dollars up, you could have made your \$250 million commitment to highways this year.

(1645)

It's your priorities, Madam Minister. It's your decision and nobody else's. It's up to you to see to it that the highways of this province meet the requirements of the people. And because



those highways are not being met . . . the requirements are not being met, we're seeing a loss of industry in this province. We're seeing people having to spend more money to maintain their equipment, that isn't coming back to increase the economy of this province because the highway infrastructure is not in place.

You talked about the number of claims you've had against the department because of damages to vehicles along their roads. You've settled a hundred of those you said in the last fiscal year out of a series of 3 to 400 complaints that were filed against you. How many of those claims are still ongoing from the last fiscal year, Madam Minister?

**Hon. Ms. Bradley:** — Well I think there's two or three things here that I'd like to answer. First of all, on the specific question, we don't have the numbers here and we can certainly check on that. We think it's a very low number but we can try to check that out.

But the one that I would like to respond to also on your comments is very definitely I do know my responsibility as the Minister of Highways and Transportation. And so has this government understood its responsibility and it certainly has set this as one of the major priorities.

And when you say Highways and Transportation are affecting the economy, well the economy of this province is doing very well. And it is one of the things I think that we can be very proud of. And some of the stress that we actually see on our highways and roads is because we actually have a very flourishing economy in the gas and oil industry, in some of the manufacturing sectors, and some of the other resource sectors. And even though we have increased trucking, and some of those kinds of pressures, we definitely need to work with those industries in every way we possibly can to make sure that we do have a transportation system that not only meets today's needs, but meets the needs of the 21st century.

But when you make a comment also, that it seems to me you're trying to let the federal government off, that they don't have any responsibility, I believe they really do have responsibility. And I see in every other national country or federal country that there's federal support for their highways; Canada does seem to be the exception.

But as I speak to not only industry, CAA (Canadian Automobile Association), the trucking association, all of the provinces, there is not a group that doesn't believe that the national federal government does have a responsibility for putting dollars into a highways and a transportation system, which we will not give up on.

Now the other comment that I just want to make on those, is that we not only recognize the importance of increased dollars, we also recognize the importance of doing stronger and better planning for the future of transportation, and to have communities, have industry all be a part of that consultation and in partnerships.

**Mr. D'Autremont:** — Thank you, Madam Minister. Well your long-term planning seems to be simply just shuffle it down the road and hope to heck somebody else will deal with it later on,

because you're not meeting your commitment.

Your commitment was \$250 million a year for 10 years — 2.5 billion. The Premier has stood up, I don't know how many times, and bragged, \$2.5 billion on highways. Well you keep shuffling it off and you keep shuffling it off, and it's like the old Russian five-year plan. They never work. All you do is create a new five-year plan. And that's what you're doing, Madam Minister — your five-year plan; your so-called ten-year plan. You keep passing the buck down the line and you're not putting the money into it.

You're concerned about the federal responsibilities while you keep dumping your responsibility off on the federal government. I'd like to see where it says the federal government is responsible for Saskatchewan highways. They don't have that responsibility. They may assume some of those costs and I would hope that they certainly would accept that responsibility. But I don't know where it says they have that. So if you have it I would love to see it, and please point that out.

So, Madam Minister, because then we can talk to the other party in here why they're not pressing their colleagues to get some of that money. But, Madam Minister, I don't see any place where it says that the federal government has the responsibility for highways in Saskatchewan . . . (inaudible interjection) . . . not my buddies. Not my buddies.

Perhaps the Deputy Premier has supported the federal government in the past. He certainly wanted to go down and visit with them in 1991 when he won election because they were going to be the great saviours for agriculture. We haven't seen a nickel come from the federal government on agriculture so his trip to Ottawa was certainly a failure. Just as we have not seen money coming from the federal government whenever the current minister talks about the federal responsibility. I don't even know if she's gone to talk to the federal government about having some input into money in Saskatchewan.

So I'll give you the opportunity, Madam Minister, to respond to where the federal government responsibility lies. What part of the constitution? What agreements do you have that the federal government is responsible for highways in Saskatchewan?

**Hon. Ms. Bradley:** — I really am very glad to be able to have a chance to respond to this. First of all on the \$2.5 billion, I just want you to know that we've made the commitment. When you make a commitment it averages out to maybe then \$250 million per year. You divide it by 10. And right now we added 30 million last year. We added 20 million, and maybe next year we add some more. And at the end of the 10 years you add it up, you divide it by 10, and it will say \$250 million. That's how an average works. That's how an average works. I just thought I'd let you know on that.

Okay. Now I'd also just like to comment. It seems very interesting with our so-called Saskatchewan Party over there, it's interesting that the Tories, that here they are now and we're wondering who's kicking who over there defending the federal Liberal government, which is a very interesting scenario.

Now when you talk about who believes that there ever should be a national policy, a national highways program, probably

everybody in this province believes in it. Every other country believes in it. And actually federally there had been commitments at different times to national highways.

Leave granted.

Motion agreed to.

But at this time . . . and the federal government at this time is not making that commitment. And never before have the policies of a federal government ever affected western Canada. And you should know this as a rural member. And in Saskatchewan the changes in the CTA (Canada Transport Act), the loss of the Crow benefit, the kind of impact, the kind of impact that this is having on rural Saskatchewan, branch-line abandonment. And you say that the federal government has no obligation. Well there is a moral obligation, whether it's in a constitution.

The Assembly adjourned at 5 p.m.

We built a country based on transportation. They put that golden spike in. That was building a country on transportation. And you're saying now the federal government has no obligation to a national highways program, no obligation to rural Saskatchewan to put dollars in to help build up their infrastructure as they're abandoning rail lines across this province.

I don't think . . . I do not believe there's a person in Saskatchewan that believes the federal government doesn't have an obligation to put dollars into highways and roads and transportation in our province, and right across this nation.

The committee reported progress.

## MOTIONS

### Leave of Absence for Members

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I believe with leave I would move, seconded by the member from Regina Northeast, by leave of the Assembly, this is a very standard motion and I'll just read it to you and see if you agree to it:

That a leave of absence be granted to the member from Last Mountain-Touchwood from Tuesday, May 5, 1998 to Friday, May 22, 1998 inclusive, to attend the Commonwealth parliamentary visit at Westminster on behalf of all of the members of the Assembly.

I would so move.

Leave granted.

Motion agreed to.

**Hon. Mr. Lingenfelter:** — Mr. Speaker, in a similar vein I move, seconded by the member from Saskatoon Fairview, by leave of the Assembly;

That we would grant to the member from Saskatoon Sutherland from Thursday, May 21, 1998 to Thursday, May 28, 1998 inclusive, to attend the 10th Commonwealth parliamentary seminar in Charlottetown, Prince Edward Island, on behalf of all members of the Assembly.

I so move.

## TABLE OF CONTENTS

### ROUTINE PROCEEDINGS

#### PRESENTING PETITIONS

Krawetz.....	869
D’Autremont .....	869
Toth .....	869
Heppner .....	869
Draude .....	869
Boyd .....	869
McLane .....	869
Belanger .....	869
Aldridge .....	869
Hillson .....	870
Osika .....	870
Haverstock.....	870

#### READING AND RECEIVING PETITIONS

Clerk .....	870
-------------	-----

#### NOTICES OF MOTIONS AND QUESTIONS

Haverstock.....	870
-----------------	-----

#### INTRODUCTION OF GUESTS

Nilson .....	870
Boyd .....	870
Sonntag .....	870

#### STATEMENTS BY MEMBERS

<b>Health Care Cuts</b>	
Draude .....	871
<b>World Wildlife Federation</b>	
Koenker .....	871
<b>Current State of Health Care</b>	
McLane.....	871
<b>Saskatchewan Abilities Council Ability Bowl</b>	
Wall.....	871
<b>Farewell to Cafeteria Manager</b>	
Haverstock.....	871
<b>SaskEnergy Scholarship Program</b>	
Murrell.....	872
<b>Plains Health Centre Closure</b>	
D’Autremont .....	872
<b>Outstanding Students in Pelican Narrows</b>	
Belanger.....	872

#### ORAL QUESTIONS

<b>Inquiry into Channel Lake</b>	
Boyd .....	873
Lingenfelter .....	873
<b>SaskPower’s Proposed Investment in Guyana</b>	
Heppner .....	873
Lingenfelter .....	874
<b>Compensation for Hepatitis C Victims</b>	
Toth .....	874
Crofford.....	874
<b>Plains Health Centre Closure</b>	
Aldridge .....	875
Crofford.....	875
<b>Rural Road Maintenance</b>	
Osika .....	876
Teichrob.....	876
<b>Plains Health Centre Closure</b>	
Toth .....	876
Crofford.....	876
Lingenfelter .....	877

#### INTRODUCTION OF BILLS

<b>Bill No. 37 — The Noxious Weeds Amendment Act, 1998</b>	
Upshall .....	877

Bill No. 38 — The Highway Traffic Amendment Act, 1998	
Lingenfelter .....	877
Bill No. 39 — The Vehicle Administration Amendment Act, 1998	
Lingenfelter .....	877
Bill No. 40 — The SaskTel Pension Implementation Act	
Lingenfelter .....	877
<b>ORDERS OF THE DAY</b>	
<b>GOVERNMENT ORDERS</b>	
<b>ADJOURNED DEBATES</b>	
<b>SECOND READINGS</b>	
Bill No. 33 — The Provincial Court Act, 1998	
Toth .....	877
D’Autremont .....	878
Bill No. 31 — The Enforcement of Judgments Conventions Act/Loi sur les conventions sur l’exécution de jugements	
Heppner .....	879
Bill No. 10 — The Saskatchewan Opportunities Corporation Amendment Act, 1998	880
<b>COMMITTEE OF THE WHOLE</b>	
Bill No. 5 — The Animal Products Amendment Act, 1998	
Upshall .....	880
Boyd .....	880
Bill No. 6 — The Cattle Marketing Deductions Act, 1998	
Upshall .....	881
Boyd .....	881
Bill No. 8 — The Stray Animals Amendment Act, 1998	
Upshall .....	883
Krawetz .....	883
D’Autremont .....	887
<b>THIRD READINGS</b>	
Bill No. 5 — The Animal Products Amendment Act, 1998	
Upshall .....	888
Bill No. 6 — The Cattle Marketing Deductions Act, 1998	
Upshall .....	888
Bill No. 8 — The Stray Animals Amendment Act, 1998	
Upshall .....	888
<b>COMMITTEE OF FINANCE</b>	
General Revenue Fund	
Highways and Transportation — Vote 16	
Bradley .....	889
D’Autremont .....	889
<b>MOTIONS</b>	
Leave of Absence for Members	
Lingenfelter .....	894