

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Krawetz: — Thank you, Mr. Speaker. Mr. Speaker, I'm pleased to present a petition on behalf of residents of the community of Gladmar. 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.

I so present.

Mr. D'Autremont: — Thank you, Mr. Speaker. I also have petitions to present today. The prayer reads:

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

This petition comes, Mr. Speaker, from the Oxbow, Carnduff, Alida, Carievale, and Lampman area of south-east Saskatchewan. 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.

The petition I present this morning is signed by the good folks from the Gainsborough, Alida, Pierson, Carnduff areas of the province. I so present.

Mr. Bjornerud: — Thank you, Mr. Speaker. I also have petitions to present to do with the closure of the Plains. The prayer reads:

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

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

The communities involved, Mr. Speaker, are Carnduff, Oxbow,

and Carievale. I so present.

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 crisis we are currently experiencing.

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

I so present.

Mr. Gantefoer: — Mr. Speaker, I too rise to present a petition on behalf of people concerned about the impending closure of the Plains hospital. The prayer reads as follows:

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

Signatures on this petition, Mr. Speaker, are from the communities of Sonningdale and Radville.

Ms. Draude: — Mr. Speaker, I also 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 Gainsborough, Alida, and Carievale. Thank you.

Mr. Boyd: — Thank you, Mr. Speaker. I'm pleased, on behalf of Saskatchewan people, to present a petition as well dealing with the issue of a moratorium on the Plains Health Centre. People from the areas of Gladmar and Minton signed this petition. I'm pleased to present on their behalf.

Mr. McLane: — Thank you, Mr. Speaker. I'm proud to rise again today to present a petition on behalf of the people of Saskatchewan.

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

Mr. Speaker, this petition has signatures on it from the community of Weyburn.

Mr. Aldridge: — Thank you, Mr. Speaker. I too rise to present petitions on behalf of citizens concerned about the closure of the Plains Health Centre. 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.

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

Those who've signed this petition, Mr. Speaker, are from a number of communities in the eastern part of the province, east-central, Churchbridge, Langenburg, the city of Yorkton, Kamsack, and Esterhazy. I so present.

Mr. Hillson: — Thank you, Mr. Speaker. This morning I present petitions on behalf of citizens of this province concerned about the catastrophic deterioration of health care services under the NDP (New Democratic Party), and specifically the impending closure of the Plains Health Centre. Your petitioners this morning come from Ponteix and Swift Current.

Mr. McPherson: — Thank you, Mr. Speaker. I join with my colleagues here today in bringing forward petitions on behalf of the people in the province that have been supporting the Save the Plains committee and the Liberal caucus thrust in stopping the closure of the Plains hospital here in Regina. 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 essential services provided at the Plains may be continued.

Mr. Speaker, the people that have signed the petition are from the Ponteix, Vanguard, Cadillac area of the province. I so present.

Mr. Goohsen: — Thank you, Mr. Speaker. Mr. Speaker, people from the south-west continue to be concerned about the double-laning of the Highway No. 1. Your petitioners today are from the Piapot and Maple Creek communities, and I'm happy to present this on their behalf today.

READING AND RECEIVING PETITIONS

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

Of citizens of the province petitioning the Assembly on the following matters: funding the twinning of the Trans-Canada Highway; saving the Plains Health Centre; calling an independent public inquiry into Channel Lake; putting a moratorium on the closure of the Plains Health Centre; and having the Workers' Compensation Board reinstate pensions for disenfranchised widows, widowers.

NOTICES OF MOTIONS AND QUESTIONS

Mr. Aldridge: — Thank you, Mr. Speaker. I give notice that I shall on Tuesday next move first reading of a Bill, an Act to rename the Plains Health Centre as the Tommy Douglas memorial hospital — short title, the Tommy Douglas memorial hospital Act.

Some Hon. Members: Hear, hear!

Mr. Goohsen: — Thank you, Mr. Speaker. I give notice that I shall on day no. 47 ask the government the following question:

To the Minister of Municipal Affairs: what action has your government taken to organize a round of meetings with the SAMA (Saskatchewan Assessment Management Agency) and municipalities to discuss inequities in the tax system; has your government directed SAMA to revise the assessment procedure to reflect the more fair and equitable system; has any action been taken to have SAMA implement a mass appraisal technique for property assessment using sales data that recognizes the lower value of commercial properties in small town, low tariff, low traffic, low tourism communities in such a way that recognizes that location and community size reduce the value of commercial properties in these communities;

(2) What action has been taken to ensure that the assessment appeal process is designed to be non-confrontational to: (b) ensure that the assessment appeal process would be less costly in terms of time and money for appellants, respondents, and to municipalities; (c) place less burdens on local boards of revision and the appellants who appear before them; (d) make easily and readily accessible to appellants and boards of revision such data that facilitates the appellants to make their appeal, and the board of revision to hearing such appeals and responding to them; (e) to have SAMA rules and procedures emphasize the role of SAMA and SAMA representatives as public servants whose role it is to assist municipalities and the individual appellants who make the municipalities to determine a fair assessment; and finally (f) to guarantee the communities in close proximity of one another and a similar makeup, e.g., neighbouring small towns, would not be isolated from one another in determining such things as market adjustment factor and that issues of social impact and justice would not be deemed irrelevant to the process.

I so submit, Mr. Speaker.

INTRODUCTION OF GUESTS

Ms. Murray: — Thank you very much, Mr. Speaker. Every year about this time our east and west galleries are overflowing with enthusiastic young people. And I'm delighted this morning to introduce them to you and to my colleagues in the Assembly.

We are pleased to welcome this morning 189 Canadian Automobile Association School Crosswalk Patrollers. They are here. They visit Regina every year as part of their annual jamboree. And we all know that means late nights and early mornings but lots of good times. And I had the pleasure of

speaking with half the group earlier on today, and I look forward to speaking with the other half later on.

But they are here from all over Saskatchewan, Mr. Speaker. They're accompanied by 26 chaperons. I know that they plan to visit the science centre and the RCMP (Royal Canadian Mounted Police) museum. But I also know that we as a society owe a great debt to these young people who we all see every day on school crosswalks making sure that children get safely to and from school. Many of us have even been school crosswalk patrollers.

So please join me in extending a very warm welcome to these fine young people.

Hon. Members: Hear, hear!

Mr. Krawetz: — Thank you very much, Mr. Speaker. On behalf of the official opposition, I too would like to join with the member opposite in welcoming all of our school patrollers from around the province. We know that they do a tremendous job all throughout the year, and this is a day of recognition for them when they can come and enjoy the kinds of things that are planned for them.

I hope they have a great day here in Regina and also a very excellent morning here in the legislature. Welcome to the Legislative Assembly.

Hon. Members: Hear, hear!

Mr. Hillson: — Mr. Speaker, I said yesterday that coming so far from Regina I rarely introduce guests. But I'd say that there are 17 of the school patrollers here today from the Battlefords, and I would welcome all of them particularly, along with the other young people, and Lynn Brisebois, who is accompanying them, from North Battleford.

And while I'm on my feet, I'd like to introduce to you and to the House, Ron Gillies, who is a librarian for the city of Lloydminster, and he's in Regina for the Saskatchewan Library Association conference which is on this weekend.

I'd ask all members to kindly join me in welcoming them.

Hon. Members: Hear, hear!

Mr. Trew: — I thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly today, a group of people that I will refer to today as, in our Legislative Assembly, as being Beechy Day. There are over 2 per cent of the people in the legislature today are — or were — from the village of Beechy.

I bring your attention to, in the Speaker's gallery, Keith Andrews, who is a chaperon with the school patrol group, and seated in the west gallery is Keith's son, George Andrews, along with Danny Ringrose. And I just want to point out this is the first year, Mr. Speaker, that Beechy has had a school patrol — so my congratulations to the village of Beechy. My thanks to Keith and to the school patrollers.

Please join me in welcoming my special guests from Beechy.

Hon. Members: Hear, hear!

Mr. Aldridge: — Thank you, Mr. Speaker, to you and through you, I'd like to introduce an individual in your gallery, Mrs. Audrey Horkoff, who hails from Kamsack in the Saltcoats constituency. Mrs. Horkoff has joined us today to highlight concerns of our health care system and I'd appreciate if all members here today would welcome her here to the Assembly.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Saskatoon Eastview By-election Candidate

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I would like to take this opportunity to welcome Judy Junor into the Saskatoon Eastview by-election race. I was very interested to read her comments that she won't be forced to toe the NDP Party line and that the Premier and other MLAs (Member of the Legislative Assembly) have said they don't want her to lose her voice.

If that's the case, we have three specific questions for her. Does she support the NDP decision to close the Plains hospital — yes or no? Does she support an expanded compensation package for hepatitis C victims — yes or no? And does she support health boards putting gag orders on SUN (Saskatchewan Union of Nurses) nurses as was recently done at the Living Sky Health District — yes or no?

Judy Junor says the Premier doesn't want her to lose her voice. I challenge her to use her voice to answer these three important questions. Does she support the Plains hospital? Does she support hepatitis C victims? And does she support the right of nurses to speak out against bed closures? Or is she simply going to tow the party line like everyone else on the other side of the House?

I challenge her, Mr. Speaker, to answer these questions.

Some Hon. Members: Hear, hear!

Good Economic News for Saskatchewan

Ms. Hamilton: — Thank you, Mr. Speaker. Saskatchewan Statistics released these labour force stats this morning. For April 1998 the unemployment rate was 6.6 per cent. This is a half percentage point lower than April '97; that labour has grown by 33,200. There were 468,700 persons employed, an increase of 5,400 this April over last.

Mr. Speaker, this is not only the only good news for the people of Saskatchewan, I also have five recent, good-news headlines from Saskatchewan weekly newspapers. And they are: "Official ribbon cutting" of Kerrobert Agro Services, *Kerrobert Citizen*, April 17; "Lewko's Greenhouse expands," *Ituna News*, April 18; "Tamara Therapies celebrates grand opening," *Foam Lake Review*, April 20; "Businesses benefit from furniture/hardware marriage," *Minor-Journal* of Esterhazy, April 21; "Number one in North America," *Kinistino-Birch Hills Post-Gazette*, April 28.

Mr. Speaker, as both the labour statistics and these good news headlines illustrate, Saskatchewan's economy is continuing to thrive.

Some Hon. Members: Hear, hear!

Health Cuts

Mr. McPherson: — Thank you, Mr. Speaker. Mr. Speaker, the current Minister of Finance promised on budget day one year ago, the hospital closures, the acute care bed closures, and the elimination of nurses had come to an end.

The current Minister of Health indicated a month ago that any further cuts would be inappropriate. How has the NDP honoured these promises, Mr. Speaker?

Let's look at a few of our rural health districts. We recently heard 25 beds were being chopped in the Living Sky Health District. The East Central District faces cuts in the next couple of weeks. And today we learn that the people of Carrot River are going to lose their hospital.

Mr. Speaker, is it any wonder that the people of Saskatchewan now view this government as arrogant, out of touch, and one that just simply doesn't care.

We encourage the member from Carrot River to get up and say something. Don't sit there in a cone of silence as other New Democrats have. Don't allow this government to continue gutting health care in your constituency without saying a peep about it. Remember the pledge you made when you were elected — that you would support your constituents.

Mother's Day Tribute

Ms. Murray: — Thank you, Mr. Speaker. As we all know, Sunday is Mother's Day. This is the day we have set aside to say "Thanks, Mom." Thanks, Mom, for wiping my nose when I was little. Thanks, Mom, for walking me to school. Thanks, Mom, for helping me with my homework. And thanks, Mom, for being my friend.

I could continue on, as all of us could, with thanks Mom stories, but I would run out of both words and time to express how special our mothers are. Instead, I'll just ask all of you to join with me in recognizing and appreciating not only our mothers, but all mothers, for everything they have done and continue to do to love and support us every day.

Thanks, Mom. We love you.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Tribute to Tommy Douglas

Mr. Aldridge: — Thank you, Mr. Speaker. Mr. Speaker, a recent edition of the *Ottawa Citizen* noted that this NDP government has offered to help find financing to make a motion picture on the life of the late Tommy Douglas. Saskatchewan is the birthplace of medicare, and New Democrats would have us

believe that Tommy Douglas is its father.

Mr. Speaker, a movie would be a fitting tribute, but there's a better way to acknowledge the contributions of Mr. Douglas. There should be a landmark, a lasting tribute to the former Saskatchewan premier which truly acknowledges his dedication to health care.

The Liberal opposition has today served notice that we will be introducing a Bill urging all members of this House to support renaming the Plains hospital the Tommy Douglas memorial hospital. A structure as sound as the Plains would serve as a lasting tribute to Mr. Douglas for future generations and we cannot image anything more fitting.

When this motion comes before the Assembly, we hope for the support of all members of this Assembly. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Yorkton Aboriginal Family Violence Initiative Funding Announcement

Hon. Mr. Serby: — Thank you, Mr. Speaker. Mr. Speaker, this morning I am pleased to inform you that yesterday the Minister of Justice was in Yorkton to present the Metis Women of Yorkton with \$40,000 to enhance their program to stop the cycle of violence in aboriginal communities.

This funding is part of a province-wide program that is providing \$350,000 to organizations for programs that will work to respond to the effect of family violence among aboriginal people in larger cities.

The Metis Women of Yorkton, along with seven other organizations, received start-up funding in 1997-98. This funding will enable Metis Women of Yorkton to deliver individual and family counselling to those affected by family violence and in particular, to those that provide healthy environments for children.

Mr. Speaker, violence and abuse in any form is unacceptable and today's announcement is another example in the way in which our government is continuing to work in partnership with communities, with families, individuals, to foster family relationships that are free of violence and of abuse.

Some Hon. Members: Hear, hear!

Tribute to Mothers and Loved Ones

Mr. Hillson: — Mr. Speaker, Mother's Day this year is a somewhat poignant occasion for myself. We have had to move my mother back to Saskatchewan in failing health.

I know that I am not alone in this House in dealing with situations of this sort. Other members are facing similar situations or have lost parents in the past year, as indeed of course this is a story repeated throughout our province.

To me though this should serve as a reminder to all of us that our mothers, like all our loved ones, are given to us for a limited

time. We must do what we can when we can, and we must tell those near and dear to us that we love and appreciate them. And we should do it today rather than wait till tomorrow. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Chili For Children's Fifth Annual Fund-raiser

Hon. Mr. Lingenfelter: — Mr. Speaker, it's a pleasure to make a member's statement today and I want to say that the children are our future and our most valuable resource. We all know that, Mr. Speaker. Food is a basic need of nurturing our children and unquestionably one of the most important responsibilities of our society.

In Regina, Chili For Children answered that need in our community five years ago. It is an innovative, pioneering program that has attracted national and international attention all because of one Theresa Stevenson, saw the need and, Mr. Speaker, did something about it.

Tonight Chili for Children is holding its fifth annual fund-raiser at the Centre of the Arts, and Chief Perry Bellegarde with Federation of Saskatchewan Indian Nations will be the guest speaker. I want to congratulate them for their excellent work.

Mr. Speaker, there's a direct link between the well-being of children and the prosperity of a nation, and by feeding our children we are making our province and our communities a better place for all us and a better place to live. That's why our government has launched the successful action plan for children in 1993 and has continued to add to it every year. This year's budget put a total of \$53 million in programs addressing child poverty, including \$18 million for the Saskatchewan Child Benefit and Saskatchewan employment supplement.

I say, Mr. Speaker, working with people like Theresa Stevenson, Chili For Children, the business people, and individuals sponsoring tonight, we will make Saskatchewan a better community, a better place to live. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Luther College Choir's Cuban Performance

Mr. Kasperski: — Thank you, Mr. Speaker. We often say in this Assembly that in our province, country, and in our world there is much more to unite us than to divide us. Well, Mr. Speaker, 34 members of the Luther College High School choir have just had a wonderful, firsthand experience to support this claim.

They, their director, Dr. Carl Cherland, and four chaperons recently gave several performances in Cuba, Mr. Speaker, with lots of time to meet local citizens, tour the countryside, and learn about the very culture of Cuba. This is the first Canadian high school choir ever to tour Cuba, and it was a perfect choice, Mr. Speaker. They sang in the church where the Pope had been just a few weeks ago, and they sang in schools and other places throughout the country.

Mr. Speaker, the Luther choir sings in our rotunda here every Christmas, and indeed I think two years ago they were here on throne speech day. So we know what a good choir they are, and what good ambassadors they are. Now others have had the opportunity to experience the talent and the spirit of our Saskatchewan children.

I congratulate Dr. Cherland and his choir, and thank them for being perfect Canadians.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Closure of Carrot River Hospital

Mr. Gantefer: — Thank you, Mr. Speaker. Mr. Speaker, it's another day and another hospital closure in NDP Saskatchewan. This time the NDP are getting ready to close down a much-needed 18-bed hospital in Carrot River. And what do we hear from the NDP member for Carrot River Valley? Nothing. It's clear he's not going to stand up for his constituents, and that's why they're going to get rid of him and replace him with someone who will in the next election.

For the Minister of Health: Mr. Minister, why are you closing another rural hospital? Will you ensure that this doesn't happen and make sure that the Carrot River hospital remains open?

Hon. Mr. Serby: — Thank you very much, Mr. Speaker, and to the member opposite. As the member opposite knows, that throughout the last five or six years in this province we have elected health boards. And the process of the elected and appointed health boards has been to provide a process, and where they in fact have been ensuring that the quality and the level of health care needs that are provided across the province are met.

And the responsibility today of the district health board in north-east Saskatchewan is to review what the overall need for the services are in that area. And at the end of the day, they're going to be providing a plan that will reflect what the needs of the people in that particular part of the province are.

And I expect that within short order they will be making that announcement. Today they're consulting with people within their district and will be making a decision in terms of what is in the best interests of people who live in that part of Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Gantefer: — Mr. Speaker, in spite of what Judy Junor says, it's clear that the muzzle is on the NDP members and it's still as tight as ever. Occasionally the straps slip a little, as demonstrated by the Chair of Crown Corporations the other day, but they quickly get tightened up again. And the muzzle is firmly on the NDP member for Carrot River Valley, who refuses to stand up for the people he represents.

Mr. Minister, how is it that five years after your initial attack on health care, you're continuing to close rural hospitals? The NDP health reform has been a miserable failure. You know it, I

know it, and everyone in Saskatchewan knows it.

Mr. Minister, will you give us the assurance that the Carrot River hospital will remain open?

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Well first of all, Mr. Member, what I want to do is I want to remind you that now that you are . . . you're carrying a new flag and you've abandoned your red flag and taken on a blue flag and now have come across to the new party. Remember when you continue to make the comment, you continue to make the comment that in this province there have been a closure and an abandonment of 52 hospitals, I want to say to the member opposite that if you examine closely what the leader of the previous . . .

The Speaker: — Order, order, order. Order. Order. Now the Chair had no difficulty at all being able to hear the question being put. And I ask — order — and I ask for cooperation of all the members to allow the minister to be heard in providing the response.

Hon. Mr. Serby: — If you were to examine again the language that the previous Conservative leader of your party said, and what he continues to say today, and continues to pull the strings of the member who is acting today as the leader; and this is what the member from Kindersley said — and I say to you one more time — what the member from Kindersley said when he talked about what's happened to rural hospitals in Saskatchewan. And he's your leader today, by the way. He just pulls the strings from the back chair.

And I say this to you. He said during this . . . during his opening comments he said that, on health care, Boyd again cautioned . . . and I quote: "Boyd again cautioned, cautioned praise of the Romanow NDP government for closing rural hospitals that had been made . . . that had to be closed." That's his comment. So you should have the chat . . .

The Speaker: — Order, order. Next question.

Regional Hospital Services

Mr. Toth: — Thank you, Mr. Speaker. My questions as well are for the Minister of Health.

Mr. Speaker, this government needs a health plan and they need it now, because right now there are no beds in Regina and there are no beds in our regional centres. Just ask Mrs. Ann Kaban, who lost her husband before his dying wish to see Yorkton one more time could be met.

Mike Kaban was diagnosed with cancer in October of 1997, but did not receive radiation treatment in the Plains until February. Once the treatment was completed on March 6, he was to be transferred to Yorkton but — you guessed it — there were no beds available even though his doctor had been requesting this transfer for two weeks. The first available bed was on March 11, two days before Mike died. And by this point he was unconscious and unresponsive to his loved ones.

Mr. Minister, Mike Kaban is gone and his family is extremely,

extremely upset that his last days were spent in Regina because there were no beds in Yorkton.

Mr. Minister, what is your plan to ensure health services in our regional centres?

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Thank you very much, Mr. Speaker. And I want to say to the member opposite a couple of things.

Yesterday he and his colleagues rise in the House and say: why is it that we have now physicians that are going from Saskatoon to Humboldt to provide procedures in a rural area, and debate at length here that this shouldn't be the case — because they recognize that there's beds available.

Yesterday they . . . yesterday the members opposite make that campaign, and say, and say that we should not be. The members opposite, the Liberals, say that we shouldn't be campaigning on this issue.

And I say to you, the member from Moosomin, that in the case of the individual who you are talking about, whom I have some information on, and I want to say to you that this individual has been in a hospital bed in Regina for three weeks, of which you've been going around the province and saying, of which you've been going around the province and saying that there are no beds in Regina. You've been going around the province, part of the Liberal campaign, saying that there are no beds. This individual has been cared for, has been ensured that it's top quality of health . . .

The Speaker: — Order, order. Next question.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I'm afraid the words and the response by the minister are of little solace to the loved ones of Mike Kaban. According to his family, Mr. Speaker, because he couldn't return to Yorkton, Mike fell into deep depression — a deep depression that his wife and other family members believe shortened his life. They are extremely upset, Mr. Minister, and they are not satisfied with the answers they are getting from the health district board, and I'm certain they're not satisfied with the answers they're now receiving from you.

Mr. Minister, people like the family of Mike Kaban need somewhere to turn to when the health system fails them. That is why I will be introducing a Bill later today to create a health ombudsman. Mr. Minister, will you support this legislation?

Hon. Mr. Serby: — Well I want to say, Mr. Speaker, to the member opposite, that if he's asking for greater accountability within the system, within the health care system today, that I want to point out for him again of all of the methods that are in place today for the accountability.

First and foremost in each of the districts, each of the health districts are responsible to provide an audit on their delivery of service, and they do that on an annual basis. Then they have two public meetings in which they advise the public in each of

their constituencies . . . or each of their districts, in terms of what those services are. Then each of those health plans are provided for each of us here, to the legislature, to review in detail and debate. And further to that, all of those health plans are then reviewed by the Provincial Auditor.

There are now four mechanisms, Mr. Chair . . . or Mr. Speaker, in order to review the delivery of health care services in the province, of which we all have an opportunity to review, discuss, debate, and analyse. So I say to the member opposite, the inclusion of any further accountability in this would not in my opinion, enhance the process in any greater fashion than it is today.

Some Hon. Members: Hear, hear!

Highways Budget

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Highways. Madam Minister, under your leadership Saskatchewan people have witnessed an amazing transformation — the transformation of our road system from paved highways to wagon trails. That's quite a trick, Madam Minister.

And what really is impressive, that it only took the NDP seven years of neglect and broken promises to do it. Madam Minister, last year you and your NDP government promised to spend \$250 million every year for the next 10 years, but last year's Highway budget was only \$200 million and this year is 218.

Madam Minister, you're already \$82 million short of your promise. Will you commit today to honour your promise and immediately allocate the missing \$82 million back into this year's Highway budget?

Some Hon. Members: Hear, hear!

Hon. Ms. Bradley: — Thank you, Mr. Speaker. And I'm very pleased to have the opportunity to answer this question because I want to clarify what our commitment was. It was a \$2.5 billion commitment as of last year for over the next 10 years. And that's what we are going to honour.

We added \$30 million to our budget last year, an additional \$20 million this year. And we will continue to ramp up the budget in the upcoming years.

What we have said is that we will be spending \$2.5 billion on our highway and transportation system, which we will honour. And we will be doing that in a progressive manner each and every year until we can honour that commitment.

As I have said before, over 10 years it will average, when you divide by 10, it will average \$250 million per year.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Mr. Speaker, the number of letters and concerns we're getting on highways this spring . . . and I'll just list a few of the numbers, but 381, 10, Highway 21, 44, 49, 5, 23, 41, 8, 50 — the list goes on and on.

Mr. Speaker, the Saskatchewan highway system is falling apart. It's unsafe. It's killing and it's maiming people. It's a disgrace. It's chasing business out of the province and it's keeping other businesses from coming here.

Mr. Speaker, it's hurting tourism in this province. It's costing SGI (Saskatchewan Government Insurance) millions in insurance payments that aren't really necessary if the roads were fixed. Our highways and road conditions are costing vehicle owners millions of dollars a year in repairs. And, Madam Minister, you're already \$82 million short of your highway funding commitment.

Was this \$250 million a year just another broken promise your government is famous for? Madam Minister, the highway system is in critical condition. Where's the NDP's plan for reviving this patient? When are you going to try and catch up to your commitment . . .

The Speaker: — Order, order. Order, order. Now the hon. member has been extremely lengthy in his preamble. If he's done, then I'll recognize the hon. member for Highways and Transportation.

Hon. Ms. Bradley: — Thank you, Mr. Speaker. I think one of the good news items that we heard today is that we have great economic development in this province and that we're . . . unemployment rate is down. And certainly with that great economic development, we have to have a good transportation system.

We have committed our dollars, and we're making that commitment of \$2.5 billion over the next 10 years. We're not getting . . .

The Speaker: — Order, order. Now the hon. members will recognize that the Minister of Highways and Transportation is not that far from the Chair, and it's difficult for the Chair to hear. And I will ask the hon. members in the opposition to allow the hon. minister to be heard in her response.

Hon. Ms. Bradley: — Thank you, Mr. Speaker. As I've said, we've got good news in economic development right across this province. And certainly we've put our strategy there with more dollars and better planning right across the province with our area committees. We've met with the road builders and they're also on a gradual process of adding dollars into our budget.

But I'd like to say, what have we got from the federal government? We've gotten zero dollar commitment into the huge issues that are facing transportation in this province.

We also saw the party opposite put us into such a deficit position on which we spend \$2 million a day on interest. Those are the kind of dollars that we should be able to have to put into our infrastructure.

We have made a commitment of dollars. We've made a commitment to good planning. It's certainly more than what any of the opposition members have done.

Some Hon. Members: Hear, hear!

Health Care Funding

Mr. Aldridge: — Thank you, Mr. Speaker. Mr. Speaker, the Premier likes to sell himself as the saviour of medicare. That's why the fact that the NDP is now pushing two-tier medicine on the people of Saskatchewan is so shocking.

Today I've introduced this House to Audrey Horkoff of Kamsack, who lost her mother to leukemia last fall. She feels that if her mother did not have additional insurance for private care, her final days would have been unbearable.

Mr. Premier, your party has attacked any suggestion of two-tiered medicine in the past. Why are you forcing it on the people of Saskatchewan now? Not out of design but because of neglect. Would Tommy Douglas have allowed such a thing to happen?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, I will say with the greatest of respect to the hon. member opposite, he never even met Tommy Douglas or knew Tommy Douglas and I think it ill behoves him to use the name of a person who, in consult with Woodrow Lloyd, built up medicare in this province on this side of the House, as this party does.

I say to the member opposite that it's somewhat galling to have the Liberals get up and argue the question of our health care reforms, having been the party responsible for cutting \$7 billion of health care dollars nationally — 7 billion nationally, 7 billion nationally. Every premier — Liberal, Conservative, NDP — in Canada says you people are destroying medicare.

What have we done? We have come back and back-filled every single penny that the Liberals took away from Canada and from the provincial government and have upgraded on top of it in this budget, \$90 million more to do precisely what the member, under crocodile tears, says he supports, namely no two-tiers; when we know his member from Arm River supports two-tiers and what the federal policy is directing us towards — two-tier health care.

The Liberals have no credibility on health care whatsoever, and the Saskatoon Eastview by-election will show that in spades.

Some Hon. Members: Hear, hear!

Mr. Aldridge: — Mr. Speaker, it seems the Premier, under stress, has developed selective memory loss here because I've had to remind the members opposite on a number of occasions of a resolution that was passed by our party's convention last fall, and I'll read again and I quote:

We uphold the principles of the Canada Health Act and support a publicly funded, publicly administered universal medicare system and oppose those who seek to undermine it with a two-tiered health system.

And that's what we're . . .

The Speaker: — Order, order, order. Order. Order. Now the hon. member doesn't need shouting from government benches

nor does he need shouting from his own caucus benches. He's quite capable of asking the question himself. I'll ask the House to allow him to be heard.

Mr. Aldridge: — Thank you, Mr. Speaker. So we're opposing those who seek to undermine our health care system and that's what we're doing here right today.

Mr. Premier, if you are as opposed to two-tier medicine as you state, and believe a two-tier structure is not being established in Saskatchewan, why is the Liberal opposition being contacted on a daily basis by people like Audrey Horkoff. In a letter to the Regina Health District, Mrs. Horkoff writes, and I quote:

The implications are clear. Without insurance you are at the mercy of the system. It's not a pretty sight, and one that none of you can possibly accept with a clear conscience.

Mr. Premier . . .

The Speaker: — Order, order. Order. The hon. member has been extremely lengthy in his preamble and I'll ask him to go now directly to his question.

Mr. Aldridge: — Mr. Premier, we might expect to see two-tier medicine from people from Ralph Klein. Why are we seeing it from you?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, the hon. member gets up and repeats and repeats and repeats and repeats to this House, some resolution that the Liberals passed — provincial Liberals passed — at their last convention in Yorkton, opposing two-tier system.

Don't read it to me. Read it to your colleague, the member from Arm River, who gets up in this House and supports two-tier system. Don't read it to me. Read it to Ralph Goodale. Was he at that provincial Liberal convention? And if Ralph Goodale was there, what is his answer to you for having cut back health care spending in Canada \$7 billion? What did Ralph Goodale say about that? How did he vote for that resolution?

Don't read it to me. Don't read it to this House. Read it to your own Liberal Party, which is on a mission to destroy medicare in Canada, on a mission to destroy medicare. This party and this government is defending medicare and we're going to do it all the time, and the people of this province know that they cannot trust you or the Tory Party for the defence of medicare.

Some Hon. Members: Hear, hear!

Mr. McLane: — Thank you, Mr. Speaker. This NDP government continues to maintain and cry that it opposes two-tier health. At the same time it's neglect, Mr. Speaker, and underfunding is pushing two-tiered medicine on the people of Saskatchewan. The creation of Clockwork Health Connections out of Saskatoon certainly underlines this point. According to this brochure from this private company, Mr. Speaker, it says and I quote: "assist Saskatchewan people in accessing health services."

Mr. Minister, if our health care system's in such fine shape as you suggest, why would any Saskatchewan resident need help in accessing additional private health care services through this company?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, the Leader of the Liberal Party in Saskatchewan, Dr. Melenchuk, was interviewed by Costa Maragos of CBC (Canadian Broadcasting Corporation) on November 1996, and he said that he would cut \$1.3 billion from the Saskatchewan health care system because he said he was a doctor and he said he knew where the inefficiencies were. Then Costa Maragos said, where are those inefficiencies? He said, I'm not going to tell you. He was asked a few days ago, how is he going to find the money to keep the Plains hospital open in light of the fact that the federal Liberals have cut it back \$7 billion; he says, I'm not going to tell you.

What does he say on November 27, 1996? "Private surgical clinics should be permitted to open in the province, says Liberal leader Jim Melenchuk." That's what he said.

Mr. Speaker, does this Liberal Party have any credibility on health care at all? Given the statements that they want to cut 1.3 billion, I invite you, sir, I invite any member of this House . . . and in particular, it would give me undying pleasure to see the Conrad Black newspapers just once — just once — exercise a bit of journalism to ask the Liberal leader where he will cut \$1.3 billion from the Saskatchewan health care budget.

Some Hon. Members: Hear, hear!

Mr. McLane: — Thank you, Mr. Speaker. Thank you, Mr. Speaker. There's the arrogance of the big government, "I know best" attitude that the people of this province hate so much. Mr. Speaker, the fact is if our health care system wasn't crumbling under this NDP government, there wouldn't be a market for private companies to help people access proper health care services. Among other things, Clockwork Health Connections provides the rest and recovery service for rural and northern patients who have been given the boot from hospitals but are not yet ready to go home. This service is based on a hotel setting, Mr. Speaker, but it's not the Howard Johnson, which is this government's hotel of choice, and Clockwork provides 24-hour nursing care. Patients are not left to fend for themselves as under the government program.

Mr. Speaker, is the fact that there is even a niche market for this kind of service not an indictment of our deteriorating health care system in this province?

Hon. Mr. Romanow: — Mr. Speaker, the hon. member who just got up and asked his question said, on May 1, 1996 in the interview to the STV (SaskWest Television), the following, quote: "If there are people that are prepared to pay, (referring to health care) then I think we have to let them pay."

That sounds to me like two-tier medicine. That is what this member says, and that is what his doctor says.

But look at this, Mr. Chairman . . . Mr. Speaker, look at this — Mr. Speaker, I can barely hear myself give the answer with

these Liberals yelling at me the way they do, and they're yelling at this because they know exactly what they're waiting for them — they know that the people in Saskatoon Eastview realize that nationally, the Liberal Party has cut \$7 billion from health care. Every Premier, Liberal, NDP, and Conservative — and this is a fact — in communiqué after communiqué to the Prime Minister, has said you are attacking medicare.

This province, this government, has come back at the largest expenditure of health care in the history of our province at \$1.7 billion. We oppose a two-tier system. We are building the best health care centre for southern Saskatchewan right here in Regina. We are getting the very best that modern medicine can provide, not those people who support two tier, who support private, for-profit hospitals, who want to destroy by their lack of funding.

Some Hon. Members: Hear, hear!

Swift Current Health District Lay-offs

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, a further question to the Minister of Health. Mr. Minister, we've just learned that there is a news conference scheduled for 1:30 today in Swift Current to announce lay-offs in the Swift Current Health District. Mr. Minister, this announcement is going to go totally contrary to what the Minister of Finance said last year about no further cut-backs in health care.

Mr. Minister, we understand those lay-offs could include nurses. Mr. Minister, will you confirm that in fact the Swift Current Health District is planning to lay off staff this afternoon due to the budget process? And will you finally admit that your health care reform process is a disaster?

Some Hon. Members: Hear, hear!

Hon. Mr. Serby: — Mr. Speaker, I want to say to the member opposite that earlier this morning I had been advised by the Department of Health, who said to me that the Swift Current Health District was intending to make some reductions in some of their services after they completed their additional work.

Now the member opposite should be assured and the member opposite should be apprised that there will be no health care staff who were providing front-line work — nurses, LPNs (licensed practical nurse), aides — there will be no cuts to any of those people.

There will be no bed reductions; there will be no bed reductions to the Swift Current Health District. They're looking at streamlining some of their services within the region and they're going to make some additional reductions, and the district health board has advised that that's what it will be. But it will be no nurses; there'll be no long-term care staff that will be reduced and there will be no bed cuts in Swift Current.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Mr. Minister, you just announced that there were further expenditures in health care. But what do we see in the province of Saskatchewan? What do we see in North-East Health District; the community of Carrot

River? Cut-backs. Living Sky, cut-backs. East Central, cut-backs, and now the Swift Current Health District. And how many more districts are going to be cutting back?

On one hand you're saying you're putting more money in, but every district, on a daily basis now, is now having to live with the fact that they're going to have to address shortfalls by cutting back.

Mr. Minister, I believe the people of Saskatchewan are saying to you that the health care is in a shambles; it's time to do something about it. When will you admit the fact that health care is facing a crisis situation?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker. The crisis that is being faced in this legislature in this province is by the Tory Saskatchewan Party and by the Liberal Party. That's the crisis. We know that by the public opinion polling that is taking place. I'm saying to this House, Mr. Speaker, that health care is in transition in every part of this country. Every province is involved in a . . .

The Speaker: — Order. Order. Now the Chair is having difficulty being able to even hear the Premier's response, and I ask for the cooperation of the opposition to allow the Premier to be heard.

Hon. Mr. Romanow: — Mr. Speaker, I was about to say that every province in Canada is involved in, every province in Canada is involved in health care renewal.

The province of Saskatchewan began ours 4 or 5 years ago, and we have well turned the corner to building the finest health care system in the country. We are funding at \$1.7 billion, the highest expenditure in the history of this province. And we're doing it in the face of \$7 billion of cut-backs by the Liberals of this province and this country — \$7 billion.

The crisis I said is in the Saskatchewan Party, and it is so. I see that the Leader of the Saskatchewan Tory Party must have been on coffee break. The \$24,000-a-year consultant was in the gallery just now, consultant.

And here's what *The Estevan Mercury* says, why I say it's a crisis:

We say if the Saskatchewan Party is determined to give Hermanson what they feel is fair compensation, then we suggest they make some concerted efforts to get him elected so he can pick up his provincial pay in a proper manner and not in some back door.

You want to put health care as a test and a crisis, don't have your policy consultant having a cup of coffee in the legislative gallery. You have him running in Saskatoon Eastview and telling us about medicare.

Some Hon. Members: Hear, hear!

The Speaker: — Order. Order. Order. Order.

INTRODUCTION OF BILLS

Bill No. 210 — The Saskatchewan Health Ombudsman Act

Mr. Toth: — Thank you, Mr. Speaker. I move first reading of Bill No. 210, The Saskatchewan Health Ombudsman Act.

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

Bill No. 54 — The Crown Corporations Amendment Act, 1998

Hon. Mr. Lingenfelter: — Mr. Speaker, I move that Bill No. 54, The Crown Corporations 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. 55 — The Power Corporation Amendment Act, 1998

Hon. Mr. Lingenfelter: — Mr. Speaker, I move that Bill No. 55, The Power Corporation Amendment Act, 1998 be now introduced and read for the first time.

The Speaker: — Order. Order. Order. Now the Chair does ask for the cooperation of the House to enable the Bills to be processed properly, and I ask for the cooperation of members on both sides of the House.

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

Bill No. 56 — The Municipal Revenue Sharing Amendment Act, 1998

Hon. Mrs. Teichrob: — Mr. Speaker, I move that Bill No. 56, The Municipal Revenue Sharing Amendment Act, 1998 be now introduced and read the first time.

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

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 44 — The Municipal Employees' Pension Amendment Act, 1998

Hon. Ms. MacKinnon: — Thank you, Mr. Speaker. Mr. Speaker, I rise today to move second reading of The Municipal Employees' Pension Amendment Act, 1998.

Mr. Speaker, the municipal employees pension plan is currently in an enviable position. This pension plan boasts a surplus. To maintain its status as a registered pension plan, the Municipal Employees' Pension Commission must either improve the benefits being offered to its plan members and pensioners, or

forfeit a portion of its surplus by means of contribution of funds to employees and employers.

The Municipal Employees' Pension Commission, in consultation with the plan's actuaries, legal counsel, participating employers, and plan members, are requesting plan improvements that will consume about 80 per cent of the existing plan surplus.

The plan improvements will comply with the Income Tax Act. After the implementation of the improvements, the plan will continue to enjoy a healthy surplus which will help to protect the plan from corrections in financial markets.

Mr. Speaker, the municipal employees' pension plan provides benefits to municipal employees, school board employees, and designated police officers and fire-fighters.

Over 700 employers and over 9,000 employees, active and inactive, participate in the plan. The plan currently pays benefits to about 2,500 members. The plan is administered by the Public Employees Benefits Agency, Saskatchewan Finance.

The definition of "average highest salary" will be amended to be based upon the highest three years of contributory service to replace the current highest 60 months. This will increase the pensions for plan members.

To protect the members' pensions during periods of disability, members can apply to the Municipal Employees' Pension Commission to have employee and employer contributions waived for the period of disability while continuing to recognize the period of disability as contributory service.

This plan improvement serves two purposes. Plan members will not be required to contribute to the pension plan while they are disabled and perhaps without regular income. And by having the period of disability recognized as contributory service, members will know that their future pension income is not being jeopardized as a result of their disability.

Permanent employees who were required to serve a waiting period prior to joining the pension plan, Mr. Speaker, will be granted one-half of the waiting period as contributory service and will be given the opportunity to purchase the remaining one-half of the waiting period.

This provides members with the ability to restore service for the waiting period which they were required to serve prior to 1993. The pension formula for service prior to 1990 will be enhanced, thereby further enhancing the pensions of the longest-serving plan members.

Mr. Speaker, the amendments being proposed to The Municipal Employees' Pension Act serve the purposes of improving plan benefits for members and of using a surplus that has accrued in the pension plan.

Mr. Speaker, I move second reading of An Act to amend The Municipal Employees' Pension Amendment Act, 1998.

Mr. D'Autremont: — Thank you, Mr. Speaker. I'm pleased to rise today on this particular issue dealing with the municipal employees' pension plan.

This plan covers approximately 2,500 members — employees of municipalities, school boards, and as the minister said, designed police officers and fire-fighters.

I guess one of the questions that we're going to have to ask, Mr. Speaker, is who are the designated police officers? How do they become designated? And what's the difference between this pension plan and what other officers have that are not designated?

Mr. Speaker, the Bill improves the municipal pension plan for those who are collecting it. Currently it's calculated based on a 60-month or five-year highest salary earning. This is being changed . . .

The Speaker: — Order, order. Why is the hon. member on his feet?

Mr. Jess: — Permission to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Jess: — Thank you, Mr. Speaker. In your west gallery I would like to take this opportunity to introduce two good friends of mine from the Leader area.

Mrs. Gladys Dearborn is a farmer and a businesswoman in the town of Leader, and her son Bill is a farmer. As well, he has been more recently became famous in that area as the driving force between the great Sand Hills grain terminal, and he has recently been elected as Saskatchewan Wheat Pool delegate.

And I'd like to ask all members to welcome them to the Chamber.

Hon. Members: Hear, hear!

The Speaker: — Why is the hon. member for Kindersley on his feet?

Mr. Boyd: — For the introduction of guests, Mr. Speaker.

Leave granted.

Mr. Boyd: — Thank you, Mr. Speaker. I as well would like to join with the member opposite in welcoming the Dearborns here to the Assembly today. Mr. Dearborn is a long-time resident of my constituency, and certainly would want to welcome him.

I would also want to extend our best wishes to your son Jason, who is very instrumental in the Saskatchewan Party's policy development these days. And we would want you to extend best wishes. And I'd ask all members to welcome them as well.

Hon. Members: Hear, hear!

SECOND READINGS

**Bill No. 44
(continued)**

Mr. D'Autremont: — Thank you, Mr. Speaker. As I was saying earlier, this change is going to mean that people collecting the municipal pensions will now be basing their pension on their best three years, or the highest return for three years. This will provide a higher salary for the purposes of calculating their pension benefits.

I think it would be interesting to note, Mr. Speaker, that your best three years is certainly better than what the MLA pension is, unless you happen to be the Premier, the member for Regina Dewdney, the member for Shellbrook-Spiritwood, or the member for Regina Northeast. All of those members, Mr. Speaker, are on a plan that pays out the best of, I believe it is, four years.

So in this sense this particular pension is a little bit richer in terms of time period, although I suspect it's not richer in terms of money that would be paid out as pensions.

So perhaps those particular members at some point in time would like to speak out as to the benefit of changing this particular Act from five years to three years. I'm sure that they may very well be interested in lobbying to get their own pensions changed to even improve the lucrative pensions they currently have.

Those pensions that I speak of, Mr. Speaker, are certainly different than those that the rest of us have in this Assembly.

After July 1, 1998, during period of disability, contributions may be waived for both the employee and the employer. But the period of disability will still be included in the calculation of the member's contributory service.

This means, Mr. Speaker, that while the member isn't pay . . . the person collecting the pension or in whose name the pension is being collected, will not be putting money into the pension program, but they will at the end of the day, base that amount on the time that they have served.

The amount of the allowance payable to members based on the service prior to January 1, 1980 will be increased — means they're going to get more money out of this. So people that put in their pensions earlier, before 1990, will get a better return by this change-over, Mr. Speaker.

One of the main questions that we'll be asking is how these changes will affect municipalities who have been greatly strapped for cash. We have seen this government continuously reducing the amount of money that are going to municipalities. And fact is, last year municipalities I believe lost approximately \$30 million out of their grants from government. Those monies would have been used to build not only roads, Mr. Speaker, but also to pay the pensions of their employees. That money was reduced.

So I guess the question has to be asked, who is going to pay for these additional costs. Will the entire cost of this Bill that is

being introduced to expand the pensions be paid out of the surpluses that the minister mentioned? Or does it mean that the ratepayers of this province are going to have to pay greater taxes to pay for these enhanced pension programs, Mr. Speaker.

Those are all the types of things that we need to investigate. We need to be contacting the municipalities, both rural and urban, to determine how this particular Bill is going to affect their finances. We need to talk to the people who are going to be collecting these pensions to see whether or not it serves their particular interests and their needs.

So, Mr. Speaker, at the present time I would move that we adjourn this debate.

Debate adjourned.

**Bill No. 45 — The Automobile Accident Insurance
Amendment Act, 1998**

Hon. Mr. Lingenfelter: — Mr. Speaker, I am pleased to rise today to move second reading of The Automobile Accident Insurance Amendment Act, 1998. The automobile auto insurance Act is a universal, mandatory automobile insurance plan administered by SGI.

As it now exists, the Act insures snowmobiles. There are approximately 33,000 snowmobiles in Saskatchewan. Less than one-third are registered and insured with the SGI auto fund. These are the only off-road vehicles registered and insured with the auto fund.

Mr. Speaker, in recent years the loss ratio on snowmobiles has been very unfavourable. For every dollar in snowmobile premiums taken in, \$2.65 is paid out. Losses have cost the auto fund on average \$3 million per year. This is obviously an imbalance, and it means that snowmobile claims are being subsidized by premiums paid by other road users, other automobiles that are insured through the fund.

Amendments to the Act will remove coverage for first party damage to a snowmobile. As well, amendments will remove no-fault benefits to snowmobile riders under the personal injury protection part of the Act. Snowmobiles will be continued to be registered and those that are registered will have liability insurance.

Mr. Speaker, the amendments removing the injury coverage under the personal injury protection plan are consistent with both Manitoba and Quebec. Another amendment will permit SGI to pay long-term disability benefits for injuries by an annuity. People permanently disabled in vehicle accidents are entitled to periodic payments that continue as long as the disability lasts — sometimes for ever. This involves ongoing processing of payments by SGI. It would be more efficient to have these payments made through an annuity purchased by SGI for the recipient.

Finally, Mr. Speaker, we are proposing an amendment which will allow SGI to suspend driver's licences of thieves and vandals. While it is now possible to sue thieves and vandals for damage of vehicles, chance of recovery are very small due to the perpetrators' usual poor financial situation. We believe

licence suspensions will send a strong message about the serious consequence of car theft and vandalism.

These amendments work to make our compulsory insurance plan more fair, more efficient, and more socially responsible.

Mr. Speaker, I move second reading of the Act to amend The Automobile Accident Insurance Act.

Mr. D'Autremont: — Thank you, Mr. Speaker. Mr. Speaker, while the minister seems to think that he gave an excellent speech, he's the only one in the House who seems to think that.

Mr. Speaker, the changes that the minister is proposing . . .

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

Mr. Thomson: — Thank you, Mr. Speaker. I request leave to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Thomson: — Thank you. Mr. Speaker. It's my pleasure today to introduce to you — first I want to thank the members opposite for allowing me to interrupt what I'm sure is going to be an excellent speech — to introduce a group of 18 kindergarten students who have joined us from St. Matthew School.

You will notice them in your gallery, and I understand they've just completed their tour and I will be meeting with them very shortly. So if you'd join with me in welcoming them, that would be great. Thank you.

Hon. Members: Hear, hear!

The Speaker: — Why is the member from Battleford-Cut Knife on her feet?

Ms. Murrell: — With leave, to introduce guests also.

Leave granted.

Ms. Murrell: — Thank you. It is my pleasure also to introduce to this Assembly 17 grade 7 students from Wilkie. They are accompanied by their teacher, Ms. Bev Barth. Chaperons are Joe Wagner, Karen Johnson, and Janice Guigon.

They have not had their tour yet so they will be proceeding and meeting with me later. And I'm sorry that they missed question period because I'm sure now that I'll have to answer all the questions that were already asked. Thank you.

Mr. D'Autremont: — Thank you, Mr. Speaker. I would like to welcome the students here today. And perhaps one of the questions that the students could ask the two members is, are they getting anything from Dairy Queen for you? Just a possible suggestion that, you know, I'm sure would . . .

The Speaker: — I know the hon. member recognizes the rules of the House do not allow hon. members to draw visitors into

the Assembly . . . into the debate. And I'm sure that he'll not want to do that any longer and get back to the matter before the House.

SECOND READINGS

Bill No. 45 (continued)

Mr. D'Autremont: — Thank you, Mr. Speaker. We do have some important business to discuss about snowmobiles. And the minister was talking about some of the changes they're proposing to make to insuring of snowmobiles.

The SGI auto fund will scale back that insurance beginning on August 1 because SGI coverage for snowmobiles will now be limited to the liability insurance. Vehicle damage insurance and the personal injury protection program will no longer be provided. SGI, as the minister said, has lost a considerable amount of money over the last few years in insuring snowmobiles — approximately \$8 million in the last three years — so roughly 2.3, \$2.4 million a year.

I guess one of the reasons though that . . . one of the possibilities for those losses is the way SGI was operating that insurance fund, Mr. Speaker, when it came to snowmobiles. One of the things, in talking with the insurance people involved in selling insurance and in talking to dealers who were selling snowmobiles — and including talking to the snowmobile association — was they wanted to see some changes in how SGI was administering that Act.

They were asking that people who were going to insure new . . . or new claims, or new clients for insuring snowmobiles be asked to bring their snowmobile in for an inspection prior to the issuance of the insurance. That way the insurance broker, the insurance adjuster, could make a determination whether or not this vehicle was in proper shape; whether or not there was any potentials for claims on that snowmobile if the insurance was issued, because I think we've all heard the horror stories and the potentials for difficulties that arise when those inspections are not made.

And some of these things may have been part of the cause why there was such a large claim against the insurance monies collected, the premiums collected off snowmobiles. But it seems that that's not the direction that the government is going. They're simply getting out of insuring snowmobiles other than providing liability insurance.

(1115)

An Hon. Member: — We're giving it to the private sector.

Mr. D'Autremont: — Now the minister says, we're giving it to the private sector. Well I hope, Mr. Speaker, that the private sector will be providing insurance.

I note that in a newspaper article, the recommendation was that SGI CANADA would perhaps be providing those kind of services. Hopefully they will be. I know with other particular kinds of vehicles, that it's very difficult at times to get insurance depending on the numbers of vehicles that are out

there to be insured, Mr. Speaker.

Dealers were concerned, Mr. Speaker, about the loss of insurance, because it meant that people may not be purchasing machines because they could get no insurance or because the people would no longer be fixing their machines up. Those were some of the concerns that were expressed to us. We'll be asking the minister those types of questions.

The minister talked also about major changes in the attempt to deal with young offenders and car thefts. Now it's unusual for this particular government to address these issues so we are interested to note just how they're going to do it.

This Bill would give SGI the right to suspend a driver's licence for those who are vandals and thieves until restitution is paid to SGI. Well, Mr. Speaker, if restitution is to be paid to SGI, what about the deductible that the person who owned the vehicle had to pay? Will that also be included in that restitution? I don't note that it's in there, Mr. Speaker.

So if SGI can hold up the licence of a person who has been convicted of vandalism or a theft until they get their money, well what about the money that the victim had to pay out for their deductible? Surely that should also be included, Mr. Speaker.

And I guess the question has to be asked for those who are under 16 years of age or indeed for some of those that are over: they don't seem to feel that there is any requirement to obey the law, so why are they concerned about having a driver's licence?

As one person told me, I don't need a piece of paper to drive. They don't need that licence in their own mind. They're not worried about the insurance liabilities. They're not worried about the vehicle damage that may be a result from, you say, of their own automobile or of a stolen automobile. They have no regard in that area.

While it is a small, token step forward, Mr. Speaker, I think it is only that — just a token.

We will be discussing these changes with the snowmobile association, with the dealers who sell snowmobiles, and with people who ride and own snowmobiles. So therefore, Mr. Speaker, I move that we adjourn debate on this issue.

Debated adjourned.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 26

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lautermilch that **Bill No. 26 — The Oil and Gas Conservation Amendment Act, 1998** be now read a second time.

Mr. Goohsen: — Thank you, Mr. Speaker, and my thanks to the members of the Assembly for allowing us to return back to the Bill. Obviously we could have done this another day, but it

might just as well be done now as later. And this is an important Bill because of course it leads us to other Bills that reflect the same area of concern.

As you will know, Mr. Speaker, the oil and gas industry doesn't affect everyone in the province as directly as it does people who are living in those areas of the province where production takes place. Naturally everyone who has a home that is heated by natural gas has some concern and so everybody has that aspect of the industry in their minds.

But for those of us who live in rural Saskatchewan the problems that the industry can cause naturally affect those farmers and those ranchers where the gas and oil wells are presently located. That of course brings me to my feet because of course in the Cypress Hills constituency we have one of the larger natural gas fields. We also of course have a lot of oil production as well.

The Kindersley area of course is the other constituency that has a lot of those kinds of activities as well as Lloydminster, and of course the south-east corner.

But in reality, Mr. Speaker, there are only about five constituencies in the whole province that are particularly affected by the negative effects that the oil and gas industry can produce. And while there are numerous good things that come from the industry, including all of those good things like jobs and industry and revenues for the government and revenues for even municipalities, the reality is that there are some downsides that go with the industry, and naturally they need to have roads in order to . . . where they're working and all of those kind of things. And so it's important that we discuss these issues and these amendments at some length because they do affect so few people. We need to discuss them in debate more effectively I think and more lengthfully than we normally would because it can never be a political issue at election time.

So obviously if only the negative effects can only affect a certain number of seats, naturally then we have to do our job here in the Assembly, and we have to do it through the process of debate to convince the minister that certain things have to be done in order to have fair play for those constituencies, because it can never be done in the broader context of democracy with an election.

So I want to talk to the minister about the Act to amend The Oil and Gas Conservation Act first of all, and of course later on we're going to be talking about some other Acts that go into the same areas of concern. And that of course, right there, is one of the arguments we want to put forward.

Here we are talking about amendments to an Act and in a few minutes from now we will be talking about another Act that affects relatively the same areas of concern. We've got too many Acts. We've got too many ministers controlling the same industries. We've got too much red tape. You can't get through the red tape from one ministry to the other ministry to the next ministry all in the same area of concern because we have too many Acts.

And what do I base that argument on, Mr. Speaker? Well very simply, we do have comparisons to make. I've used the comparison of Alberta many times in this Assembly. In 1997,

the Alberta government already at that time, when Mr. Blakeney was the premier of this province, saw fit and saw the necessity to bring about changes that would bring all of these Acts under one umbrella.

And yet in Saskatchewan we continue to fool around with several different Acts regulating one industry. And not only several different Acts, but Acts that are under jurisdiction of different ministers. So that when the industry or anyone connected with the problems of the industry want to solve a problem, they have to go through two and possibly three different ministries in order to get a resolution to a problem.

In Alberta they saw the necessity not only to put that umbrella under . . . all of these Acts under one umbrella so that these conflicts could be avoided, but they have also saved themselves, as a government, hundred of millions of dollars in the process. And this government of course, has never seen the light of day of saving all of that money by putting all of these Acts under one umbrella.

And of course in Alberta they've done it through the Surface Rights Act and they have put all of their pipeline Acts, all of their Acts of the oil and gas conservation nature, they've put them all under one umbrella under the Surface Rights Act. They have saved themselves hundreds of millions of dollars by not having duplications of boards that people have to go to in order to discuss issues that they disagree about. And they've also, of course, eliminated the need for political patronage in those areas to fill those boards.

More specifically, Mr. Speaker, in the Act that is before us, this Act of No. 26 — the Act to amend The Oil and Gas Conservation Act, the minister in this Act apparently is attempting to change the context of the Act. And let me say this, that what is contained in this Act is necessary in our society. Having it under an Act as an individual entity that is controlled by the Minister of Energy, that's what's wrong. It should be under the jurisdiction of the surface rights Act which, of course at the moment, is under the jurisdiction of the Minister of Justice.

It wouldn't matter if the surface rights Act were under the jurisdiction of the Minister of Energy and Mines. It wouldn't matter, I don't think, to society, which minister controlled it. But it should all be controlled by one minister. And so having said that, the general principles involved in this Act are necessary for regulating the industry. The provisions of the amendments now changes a whole lot of the general philosophical way that this Act is going to be administered for the industry.

And to tell you the truth, I'm rather surprised that the oil and gas industry hasn't been beating on the door of the minister protesting the potential outcome of this particular amendment to their livelihood. Because in fact, it is going to affect the livelihood quite considerably of people that produce natural gas in particular.

Now let me just quote from the explanatory notes, which I think are probably accurate. Now it says here that the existing provision is under section 55 that:

No gas shall be used, consumed or otherwise disposed of in the province until a permit authorizing the use, consumption or disposition is granted by the minister.

Now this at the time that it was brought in — and remembering it was probably important back then — but you have to remember, Mr. Speaker, that deregulation of the gas industry has taken place as far back as 1987, if I've got this correct. Yes I do. According to these notes here, 1987 deregulation allowed consumers to buy gas directly from the producer. And what this regulation change is doing basically, as I understand it, is removing the necessity, if the minister decides, of having to have a permit. But it's only if the minister decides and it's only those people that the minister decides to make an exemption for. In other words, the minister becomes the dictator.

And I was very quickly writing down things as I went along here, and one of my marginal notes I wrote down is Hitler. Because of course Hitler was a dictator and the minister of course is setting himself up to become the dictator of the oil and gas industry, with the right to individually decide which oil and gas companies have the right to operate with or without permit.

And with that much power of course, the minister then becomes in a position where he can say to a particular company, if you don't play ball with me and do what I tell you, you won't get your permit and you won't be allowed to continue to work and operate. That is a form of blackmail that should not be in our democratic process. The rules and regulations should apply equally to everyone, and the minister should not have the right to pull permits unless there has been cases of wrongdoing.

I also have in my marginal notes here as I went through this, Mr. Speaker, and when I went through this part of the deregulation allowed . . . The natural gas deregulations was implemented in 1987, it says here. Deregulation allowed consumers to buy gas directly from producers. Requiring natural gas permits facilitated the transactions from a regulated to a deregulated market-place for the buying and selling of natural gas. The government's review of producer reserves and the issuance of permits ensure customers that gas under contract was available. Now 11 years after deregulation was implemented, consumers are confident that the market-place works.

I hardly thought that, Mr. Speaker, when I was sitting in on the Crown Corporation meetings the other day and the discussion was about Channel Lake. Natural gas — it goes on to say — permits are no longer necessary, provided . . . providing for the subsequent . . . rather than the abolition of permits, allowed a reinstatement of permit's obligations should circumstances warrant such action.

In other words, this is saying just exactly what I've said a few minutes ago. It is saying that the minister now has the control over whether or not to issue permits or whether permits are required. And if he has that right for individual companies, then it is not fair to the other companies. And it could be used as a lever for the minister to become the dictator of the industry.

(1130)

It also makes me wonder what has changed after 11 years in

Saskatchewan that wasn't changed before. And I'm starting to suspect that that word Channel Lake has gotten into the reason why we are here with this particular amendment. However, I'll let the minister explain that when it's his turn to talk about this as we go through this in the days to come.

I want also to discuss, with regards to this particular amendment, the section 56 of the amendment is going to be changed. Both 55 and 56 have the potential now to be removed by the minister's dictatorial power as I understand this. Now new provisions of section 56.1 is being added that will allow the minister to suspend and reinstate existing sections 55 and 56.

In other words, the minister can have it both ways. He can either put the law together or he can take it apart without ever further debating it in the legislature. Now we have a Bill that in effect can have provisions 56 and 55; 55 and 56 can be either taken out or put in at the whim of the minister without ever having to talk to anybody again.

He doesn't have to go to cabinet, he doesn't have to discuss it with the Premier, he certainly doesn't have to come back to the Assembly. And so he becomes a dictator with this process. And I don't believe that that's in the best interests of consumers. It certainly can't be within the best interests of the industry.

And I'm kind of wondering if all of the talk and rhetoric we've heard about wanting to build our province and to diversify it, isn't lost in this kind of an approach. Are we not saying to the gas industry that we want to have dictatorial powers over you? And wouldn't the company that is looking to come to reinvest their money in the gas fields or the oilfields be looking at these kinds of regulations before they come to our province if it happens to be outside capital?

Let's suppose that somebody that has money, like Channel Lake for example, a new company that is owned under another name now in Alberta . . . is a gas field down at Medicine Hat. Now suppose they found themselves in a profit position after selling natural gas to SaskPower and they found themselves with a profit and wanted to invest it across the border, north of Maple Creek, in the Sand Hills and expand some oilfields there . . . or some gas fields.

Well, Mr. Speaker, would they not take a look at this kind of legislation and say, do we really want to come to Saskatchewan where the minister can either invoke or revoke section 55 or 56 of an Act that tells us whether or not we have to have permits, that doesn't spell out exactly what those permits cover, and of course doesn't spell out what the cost of those things could be.

And so I am saying that this is a contradiction of the basic, fundamental democratic approach to legislation that we all understand, which is that the rules should be written down specifically so that people can understand them and they should not be able to be changed in mid-stream or halfway through a contract. In other words, it makes it . . . The legislation actually really is a contract with society, a contract that the government writes up, and that contract with society is a contract under which the government sets out the rules, the playing rules, within a certain segment of our society, in this case with the gas fields.

The rules though, can be changed with this piece of legislation being amended. And that is very onerous. And we've said very many times before that people don't mind playing by rules but they want to know what the rules are before they start the game.

But if the minister has the right to change the rules halfway through the game, then of course the potential for profitability by these companies could easily be wiped out — and would they take the chance then to come to the province and get involved in that kind of a structure?

And I'm saying that this is the wrong way to go to accomplish what the minister has set out to do. Not only is it the wrong way to go to set out what he wants to do, because he's going to frighten off the gas industry, but it is also the wrong place to be doing it because this Act should be under the umbrella of an umbrella Act, the same as Alberta has.

Now I want to talk a little bit about section 56, Mr. Speaker. Therefore it says under 56 the present rules are that:

For the purpose of developing, conserving and managing gas resources of Saskatchewan, the minister may, on application and after consideration of:

- (a) the extent of current gas reserves in Saskatchewan and the trends in discovery of new reserves;
- (b) the present and reasonably foreseeable future gas consumption and use requirements of Saskatchewan persons;
- (c) Saskatchewan gas volumes committed under previous authority removal permits;
- (d) the economic benefits to Saskatchewan; and
- (e) the public interests of Saskatchewan;

Well, Mr. Speaker, what has changed that makes it no longer the public interest of Saskatchewan for these things to be set down in legislation? I see very little that has changed.

The issue — here it says, "issue a gas removal permit to an applicant on any terms and conditions that he considers appropriate or amend a gas removal permit." Now these kinds of regulations, Mr. Speaker, have been in place for a long time. But here we have the minister asking for the right to be able to put these things in or take them out at his discretion, or whenever he feels like it.

So what it does is spell out a recipe for disaster. The recipe for disaster here is that the industry will know that if they contribute to the political contributions of the party in power, they're most likely not going to have to worry about section 55 and 56 because the minister will exempt them.

And that is one of the fears in our system by the people in our general public, is that we don't write legislation that allows governments to put themselves into that kind of powerful position. And it changes the rules from one group to the other, and it also provides for the potential opportunity for corruption to creep into our system. I guess that's the word I have to use.

There is a potential for corruption in the system with this kind of an Act and this type of an amendment.

But I think I should go on a little bit further with the quote of how this section works so that the people will understand that part of it. The removal of gas from Saskatchewan is prohibited unless a permit authorizes the removal is granted by the minister pursuant to this section. Again I say, Mr. Speaker, the potential of this amendment is to be able to take this section out.

I ask the minister then: what would be the difference? What has changed, what has changed that provides us with no longer having the need for Saskatchewan to be protected for our own personal use? There's nothing that has changed there.

I mean we haven't got any more . . . In fact we not only don't have more gas fields; in fact I heard in this very legislature that — by one of the people speaking for the government — that we are falling behind in the drilling of gas wells as compared to the number that are being exhausted.

In other words, our total reserves that are drilled and in place are in fact depleting. And so we have a more serious problem of concern with watching what's going on than we had before.

And so then I asked the minister and I asked society, Mr. Speaker, why would we want to be making these changes that provide the minister with the opportunity to selectively eliminate parts of the legislation at his whim when in fact nothing not only has changed for the better, but things have actually, according to the government in terms of supplies of natural gas, have depleted and have gotten worse.

If that be the case and if their figures are right . . . And I heard a figure of something like we need to produce 400 more gas wells per year. They were telling us how they had to reduce the royalties, if you will recall. And the royalty structure had to be designed in order to encourage more production because we were falling behind by 400 wells per year that needed to be drilled. And we therefore had to give royalty benefits or tax concessions, whatever people understand and want to call it — in other words, a gift from the government that basically encourages business to come and drill.

And we had to do that because we were falling behind. And now the contradiction of course is that the minister is saying, well, we no longer have these concerns because I want the right to take this out of legislation whenever I feel like it, but I'll have the right to put it back just in case.

Well I think the just in case is already here. Nothing has changed. In fact, we probably have more need to protect our interest than we had before.

But anyway it goes on, and I think we should study this a little bit in depth:

Notwithstanding subsection (1) and any permit, if in the opinion of the minister emergency conditions exist that create actual or potential shortages of gas for Saskatchewan persons, the minister may, for the purpose of alleviating the conditions, order the diversion of any gas authorized by permit to be removed for as long as the

conditions persist.

Now that was a protection, Mr. Speaker, that's put into section 56, the section that the minister wants the right to take out or put in at his discretion. What has changed? Not anything, because what this really says is that we need the right to protect our supply.

Why did SaskPower get into Channel Lake to begin with? They got into it because they wanted to ensure the supply of natural gas for the production of power in Saskatchewan. And they weren't that sure that they had a good enough handle, even through this kind of legislation, on being able to guarantee reserves that they might need potentially at some time. If you got a bad winter where it was 40 below for 90 days instead of 10 above or something, as it was many days last winter, you can have the opposite in Saskatchewan.

And I think what the former president of SaskPower, Mr. Messer, was telling us in those Crown meetings was that they went into the Channel Lake deal because they wanted to guarantee those supplies of natural gas. They wanted to guarantee them so badly that they were willing to buy a company that had assets in Alberta and exchange those assets of course for other gas as necessary, but nevertheless have a guarantee of supply.

The bottom line is there that it may not necessarily be the gas that came out of that well or this well or the one over there, but they would have legal right to a volume of gas from somewhere in that system.

And that's a natural way that the system works, and I believe his explanation. I understood it, and I think that he probably told it exactly right — that there was a need to guarantee that. So in this legislation we are saying the opposite when we say we want to take 56 and 55 out of this legislation and that the minister would have the right to do that.

So in effect all I see us really doing here is throwing away the right for this legislation to protect Saskatchewan people and giving to the minister dictatorial control over the industry — dictatorial control over our gas industry that he should not have. No minister should have. I'm not saying that as an individual that this person will abuse that right, but what about the next guy?

This minister sat down with his officials and said, you know, I could do a good job of deciding who should have to buy a permit and who shouldn't, because I have a responsible attitude towards the people of Saskatchewan, and I will do it right, and because sometimes these permits aren't necessary. It would make life easier when I'll have the right to decide who's good and who's bad, or who isn't, and we'll go back and forth and we'll make the whole thing work good.

And it's the old story, Mr. Speaker. If you have a dictator who has a heart and compassion for the people, you might actually have a better system of government. But what happens when that dictator dies and you get a new one who hates the people and wants everything for himself and does everything bad.

And you see, this minister may be setting this legislation up

with the full heartfelt intention of doing a better job and doing it well for himself, but he won't be the minister for ever — even if it's as long as till the next election. He may go sooner or he may go later, but the fact of the matter is that some day he will change and somebody else is going to take this legislation and have control over it. And that person may not be as loving and caring and conciliatory to the process and wanting to make it work. He may abuse this process.

So, Mr. Speaker, I see that there is a need to have rules. Everybody knows that we have to have regulations, we have to have rules. But having a minister under legislation in a democratic process with the power to bring legislation in and out by putting parts in and taking parts out at his whim, without having to go back to the legislative process, is dead wrong. And this piece of legislation is therefore dead wrong on principle even though we do need to have regulations.

And so I'm not arguing so much the right and the wrong of these permits because in some cases they're right, in some cases they're wrong, and it is a very complicated process. But simply allowing the minister to be the one that decides the rules as it suits him, that's not going to fly for very long before you're going to find people within the industry itself saying we can no longer trust doing business in Saskatchewan; we are going to move our assets away.

And again we will find the industry either having to be compensated with some kind of tax concession or tax break in order to encourage them to come back here and stay here, or else they simply won't be here. And not only will we be 400 wells per year short in the production of gas to be self-sufficient, we'll probably then end up being 800 wells short.

(1145)

Now I think we need to study this just a little bit further because people should understand what all is contained in this Act. And under section (4) of 56 it says:

Every person who applies for a gas removal permit pursuant to this section shall, in addition to providing any other information that the minister may require, submit to the minister contract and market information as described in section 18.2 and in regulations made pursuant to that section relating to the sale of the gas that is the subject of the removal permit.

Now, Mr. Speaker, again maybe we don't need that particular kind of red tape for the industry. And maybe it makes sense that we shouldn't have that. But should we be dealing with it in the process that the minister has the right to apply this when he feels like it or not apply it when he gets the other urge.

I understand the members opposite don't want to hear about how the gas and oil industry is going to fail. They probably don't want to hear about how their water in Regina is being polluted as well. But we're nevertheless going to take the opportunity to tell them. And even though they have thrown in the white towel, Mr. Speaker, I am going to continue to press on to point out to the minister the wrongness of his legislation.

I will move on to . . . I will move on, Mr. Deputy Speaker, to something that is more pointed so that the minister can more specifically understand exactly what we're saying. I have here in my hand a letter from the minister which he supposedly wrote himself because he signed it. And it says in here that the oil and gas environmental fund was established under The Oil and Gas Conservation Act. And of course what we are talking about, Mr. Deputy Speaker, is the amendment to The Oil and Gas Conservation Act.

And the regulations under this Act state, and I'll quote the regulation that he was referring to in this letter:

Where, in the opinion of the minister, all other remedies have been exhausted or an emergency exists, the minister may spend moneys from the fund for the following purposes:

(a) conducting or completing the abandonment and surface restoration of a well, structure test hole, oil shale core hole or related facility that has been left incomplete by the insolvency or disappearance of the owner or (the) operator;

Now this refers, Mr. Deputy Speaker, to a particular piece of legislation . . . a particular amendment in the legislation that set up a fund some years back to take care of situations where oil and gas companies went bankrupt and things like that. And it was necessary. I say to the minister that we do need these regulations. That was a good regulation then; it is now.

And it goes on to say under (b):

containment, clean up and surface restoration of a problem that, in the opinion of the minister, is a major environmental problem that arises from oil or gas exploration, development, production or transportation operations within the scope of the Act.

Now the Act was quoted by the minister and it's accurate I'm sure. He copied it straight off the Act. But he then interprets the Act, and here is where we have the problem — with the minister being in charge of Acts and the minister being in charge of making the decisions of the interpretation of the Act.

And that's what this Act does. It was onerous before we brought in these amendments today. It was onerous then, and it's even more onerous now. Because even then the minister had the dictatorial power to decide who should qualify for that fund and who should not. And I go on to read a part of the letter here. And it says here: "The situation at the Anton ranch clearly does not fall into either of the categories above." And therefore the oil and gas environmental fund cannot be used in this case.

Think about this, Mr. Deputy Speaker, think about this. These people have been claiming deaths from cattle that drank affluent that came out of a gas well. And he says that under (b) "containment, clean up and surface restoration of a problem that in the opinion of the minister is a major environmental problem that arises from oil or gas exploration, development, production or transportation operations within the scope of the Act," does not apply to those people.

And that's the kind of a minister that we've got — that wants to

have dictatorial power over the right to take two sections out of the Act and put them in or out at his whim . . . (inaudible interjection) . . . We'll get to that in the next . . . Mr. Deputy Speaker, for the process of the record, the minister is challenging me to a debate which I readily accept. And because he has been so deadheaded wrong in so many cases in the last six months that I will take him on in a public debate in this forum or any other, any day and any minute without preparation, because he is so wrong, he is so confused, and he is so much of a dictator that it would be simply too easy to beat him in a debate to even probably bother with it. But I will take him on any time, and right here is as good a time as any.

Mr. Deputy Speaker, the minister doesn't know how to run his department. He determines to be a dictator. He does it by the legislation he brings in. He does it by the interpretation of the legislation he already has jurisdiction over. He does it in open letter which he is foolish enough to sign his name to. He is absolutely wrong.

The man doesn't understand legislation. He doesn't understand the gas industry. He doesn't understand the oil industry. He should not be the minister in charge of Energy and Mines because he quite simply doesn't know what the heck he's doing.

And, Mr. Deputy Speaker, I shall prove the fact as we go through not only this Act but the next one. Because it becomes more important even in the next Act than this one. But it starts with this one and that's why it's first — because they thought this was the puppy of the crowd and it would be easy to shuffle through. But it's not going to be so easy.

I want to quote a little more from this letter: "If an issue is related to damage associated with an oil spill from a pipeline, the Public and Private Rights Board would continue to be available to provide mediation services." Now that's under this Act that we're talking about.

Well, Mr. Deputy Speaker, what is wrong with that again, as we go back to the Alberta experience. In the Alberta experience, all the way back in the days of Allan Blakeney's government, in 1977 the Government of Alberta, with 10 times as many gas wells and . . . and I know that that's just a figure out of the air, but many times, to be more accurate, many times more activities in oil and gas, understood the need for an umbrella to take care of all of these issues. Back in those days they put all of these Acts under one umbrella, and this government is 20 years behind the times — 20 years out of touch with the reality of what has to be done in order for people to get fair play.

Because they say in this letter, signed by the minister himself, that the Public and Private Rights Board is something that we should look forward to having people to go to solve their problems. How dead wrong could anybody be. Does anybody know what the Public and Private Rights Board is? It is a group of people hired by the government to do what the government tells them. And what do they say when people's land are being expropriated? They say, that's fine. Here's your rubber-stamp. You go ahead and take it.

Does that board have any jurisdiction to set compensation? No. Do they? No. Do they ever help anybody but the government side? Never. It's been the experience of the last 30 years that

this board is nothing but a rubber-stamp of the government that does absolutely no good for anybody. And it is one of the reasons why you have so much anger and frustration out in the country as a result of things that are done in the areas of expropriation with regards in, of course this case, with the oil and gas industry.

But I also know for a fact that this Public and Private Rights Board is applied to of course, the telephone companies and to the power companies and to the lines that they put in and the expropriation orders that they require, and this is suppose to be the board that people go to, to get fair play and understanding. They give nobody fair play. They don't have hearings. They're not required to have hearings. They don't investigate the projects. They don't look at the projects. They simply give a rubber-stamp to the government to do whatever they please.

And there is no place in legislation that farmers and ranchers and property owners can go except in one case, and that is The Surface Rights Acquisition and Compensation Act provides for the Surface Rights Arbitration Board. But their jurisdiction is very limited within the oil and gas field. And in Alberta they put all of these entities under this one umbrella. And now in Alberta the farmers, even if they're not happy, have a place to go.

They can go to, not a public review commission set up by government hacks picked from their political patronage roles, they go to a semi-judicial board that is set up that has the powers of a mini-judge. And that board sits as a legal entity with a right not only to listen to the problems, but the right to determine compensation; the right to determine how the process will be done; and they have the right to order that a gas or oil company, and in Alberta, or the power company or the telephone company, they have the right to order them to put their lines around an environmentally sensitive area. They have the right to do those kinds of things.

And in Saskatchewan we have this hodgepodge of Acts and amendments with three different ministries all flying in different directions with nobody listening to the other person. It is absolutely frustrating to contact any one of them, and to get two of them to agree has finally happened in one case, and I congratulate the ministers for that, but it was not necessary and it is not necessary for that kind of process to exist.

What we need, Mr. Deputy Speaker, is for this government to think about what they're going to do as a legacy that people will remember them for. Do you people not want to have a legacy that will be remembered as having done something good for the people of Saskatchewan? You're not going to be here for ever. And history will be written about you as it about every government. Would you not rather have history write that you left a legacy of having umbrellaed all of these problems and that for 50 years from now that system could still be working?

I'm not saying that people will be happy about having their properties expropriated, Mr. Deputy Speaker. But they're a lot happier when they have a board of a semi-judicial authority that they can go to, at very minimal cost, and explain their side of the story and then have that group listen to that story and come up with a decision that is a compromise of resolving the issues.

And that's what we're talking about here. A legacy of a government to provide for a compromise system that is already in existence in Alberta since 1977. And they don't put in pieces of legislation like this where the minister tries to set himself up as Fidel Castro, where he has the right to decide who can or cannot, by his own whim, come into the province to go into the gas industry, in this case, because he has the right to determine who they can or cannot sell to.

And that is what is so dead wrong about this piece of legislation, is that it gives too much power to one person. And it gives too much power that can be changed according to how he likes the colour of your hair when you happen to come through his door. And that of course can lead to corruption, and we don't need any more corruption in this government; we've already seen enough of that.

So, Mr. Deputy Speaker, what I'm saying is that we need to contact the oil and gas industry. We need to contact the lawyers who write legislation and who study legislation and who have to work with it. We need to do that because the whole process of this Public and Private Rights Board, the whole process of this piece of legislated amendment, this is wrong.

And the industry must not know about it or surely they would be out here protesting on the lawn, even though I have to know, and as you have to know, that these people don't of course run their businesses that way.

But the reality is that this legislation is not good and I think we need to take some time to contact these other people and I therefore would move that we adjourn debate for the present time.

Some Hon. Members: Hear, hear!

Debate adjourned.

Bill No. 25

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lautermilch that **Bill No. 25 — The Pipelines Act, 1998** be now read a second time.

Mr. Goohsen: — Thank you, Mr. Deputy Speaker. It is certainly not a pleasure to have to get up and talk about another Bill right away, but as I said earlier when discussing the amendments to the previous Act, these types of things do all sort of tie together. And what we are talking about here is an Act respecting the pipelines.

We have of course a much larger Act and a much larger amendment before us here than we had in the last one and it's going to take quite a long time to go through all of it. But we will because it is necessary to democratic process that we do that in order to try to get the government to see the light of day as to what they have been doing wrong.

Again I want to make the point, Mr. Deputy Speaker, that these regulations and rules in life are necessary. Fundamentally you do have to have rules. Fundamentally you do have to have regulations. That's what government's all about and that's what society's all about. We need to have clear-cut rules to the game

before people start to play the game or they won't play the game.

(1200)

And in Saskatchewan we have oil and natural gas reserves and, as a result of course, Alberta having oil and natural gas reserves, we do need to have a way of getting those products from one point to the other. And that leads us, of course, to pipelines. It has been of course, kind of an accepted practice that in Saskatchewan, if a well produces a small amount per day, trucks are used to haul the oil from place to place. But any time production goes up we then of course use pipelines because that is a cheaper vehicle in the long run for the transportation.

So we are going to have pipelines because you've got an industry in Alberta that sells oil and natural gas to people in eastern Canada. They sell oil and natural gas to the Americans. In order to get from Alberta to Ontario you've got to go through Saskatchewan. They don't like to fly oil and natural gas so it always goes by pipeline and we naturally then . . . they're going to have pipelines. And if you're naturally going to have pipelines, you're naturally going to have to have some regulations. And you're certainly going to have to have some rules, because of course we all know what happened at Cabri not so long ago where the natural gas pipeline blew up. And that's a very serious situation.

And so to have a government with a minister that's in charge with an Act that gives him the opportunity to be able to regulate those conditions that lead to those type of explosions, that is necessary because of course the big companies that are . . . and small companies too, the companies that are involved with the production of oil or natural gas naturally are profit driven. And if they have a pipeline that is 30 years old and on the verge of blowing out, the profit motivation probably will be such that they would say, well we'll let it go for another five years and keep on using it. And the government of course, then has to have some regulations that once the pipeline becomes so deteriorated or so badly worn, that it would have to be replaced or that the company would have to be regulated not to use it to cause another explosion and perhaps kill people. So rules and regulations we concede are necessary.

Again though I make the point that in Alberta you have already got in 1977 the provisions that The Pipe Lines Act fall underneath the umbrella of The Surface Rights Acquisition and Compensation Act. And I have with me today copies from the Alberta government of all of those documentations that I'm going to provide for, in this case now, both the Minister of Energy and Mines and the Minister of Justice. Both of these ministers of course, need to be brought into this because of course they handle separate parts of the industry.

We also need to bring in of course, the Minister of the Environment because of course half of the regulations that we presently have in Saskatchewan are under his jurisdiction, or a third rather, a third under the Minister of Justice and a third under the other minister. In Alberta all of this is in one package under one ministry, has been for years — easy to run, easy to regulate.

The Bill that we have before us is changing things in The Pipe Lines Act that are already duplications to what has been done under the surface rights Act in Saskatchewan. Getting back more specifically to this particular Bill, Mr. Deputy Speaker, the reality is that we are duplicating in this province by many times because we've got many Acts that regulate the same industry under different ministers' jurisdictions. And it is not only a confusing process, it is an expensive process.

Again under The Pipe Lines Act, you have a board set up to have some kind of an appeal process, which of course is never ever used except in the government's favour. That board of course, costs the government lots of money. They are nothing but political hacks who are drawn from the political contribution lists of government — and it doesn't matter if it's this government or the last government or if it'll be the next government — that's just the way it is. And it's foolish because it's not necessary.

Because if we do it the way Alberta does it and put it all under one umbrella, you've got one board; it is a board that is drawn from the community on the basis of knowledge and ability — hopefully — and of course you have a chairman for that board. It's one board that handles all of these jurisdictions.

Public and private review commission is eliminated under that process and you eliminate that board and you eliminate all of the stigma that goes with direct expropriation without any accountability and without any recourse by the people to be able to talk to somebody about their problems.

You eliminate the need for all of the environmental problems that have to be dealt with . . . (inaudible interjection) . . . Again, the minister and his followers are hopeful that they can come up with this kind of umbrella. I can tell by the expressions on their faces that they are understanding the need for this umbrella process. And of course, if they'd lived in the oil patch for awhile, they'd have known this 20 years ago.

It is time that somebody explained to these people what is wrong. The last government missed it altogether. Allan Blakeney missed it altogether. So we've been gone through three administrations in this province and we've missed it altogether because of course it only affects five constituencies in this entire province.

And that's why it's been missed, because nobody cares when you're sitting in Regina about what's going on out at Kindersley or Gull Lake. The reality is though, that there are problems with expropriation.

Last year you had the deal with the Condie power line and you had no process for those people to be able to go to a board to explain their problems. And if you had had the opportunity for those people to sit down with a board to explain their problems, it wouldn't have changed the expropriation but it would have changed the outlook that they had towards expropriation.

And I know that socialists don't understand this because they don't believe in private ownership of land. They think the state owns it all and that the state should own it all and that expropriation is natural because the government's supposed to own it all anyhow. But the reality is that you're living in North

America where you're the only socialist government around and everybody else believes in private ownership.

And the reality is though that when you expropriate from private owners, you are taking something that they have bought and paid for. You're taking it and it makes them mad. And if you want to have a process where you can have some compromise in defusing that anger, this is the way that you can do it. You provide them with an opportunity to go before a board that is inexpensive and that will listen to their problems and then come up with a compromise.

Mr. Deputy Speaker, that's what we are making the point about. We've got some good regulations already in place that this minister of course wants to change for his own expediency in order to become a dictator. But the reality is that while we need rules and regulations, they should all be under one umbrella.

I want to, for the benefit, Mr. Speaker, of the members opposite who seem to think that this is not an important issue, to read into the record a very short but important letter. This very short and important letter is from the Saskatchewan Surface Rights Arbitration Board. And it says:

We have reviewed your letter to the Premier of January 29, 1998 and in particular the comparison of the Louisiana basin with the Saskatchewan and Alberta sedimentary basins. I found your material informative and interesting. Certainly we do not wish to have a situation in Saskatchewan as it is described in the material where oil and drilling wastes are not handled in an environmentally acceptable manner. I encourage you to press for amendments to The Surface Rights Acquisition and Compensation Act that you feel are necessary and we look forward to working with you in the future.

That's from the chairman of the board, Richard Gibbons.

Mr. Speaker, for the members opposite, if you think this is a joke or that it's not important, remember, this is the man that you, your government, appointed to be the chairman of . . .

The Speaker: — Order, order. Now I know the hon. member is a veteran member and recognizes very well the existence of rule 28, which requires debate to be taking place through the Chair and that he'll want to conduct his debate in the spirit of rule 28.

Mr. Goohsen: — Thank you, Mr. Speaker. I most certainly want you to know, and through you the members to know, the importance of bringing together all of these Bills and all of these amendments under one umbrella so that we can simplify the process of our government and our governing in the province of Saskatchewan.

Number two, to eliminate many of the costs involved and to save the taxpayers many hundreds of thousands of dollars.

Number three, to provide a vehicle so that people can have a reasonable understanding of expropriation and a reasonable comfort level, once their properties have been expropriated, of knowing that they have been allowed the best opportunity possible to be able to take care of environmental considerations on their farms and ranches, as well as to take care of other

considerations like farming techniques and all of those other things that go along with farming and ranching.

Those are the points, Mr. Speaker, that I want to make through you to the government so that they will fully understand that while we agree that rules are necessary, we also know that there is a better way to do it.

And while we agree that rules are necessary, some of the amendments that are being brought forward by this minister are dead wrong. And they are not only not going to help the oil and gas industry, they're not going to help the people of Saskatchewan either because they create a dictatorship in the province that is not acceptable either to the public or to the people involved in investing their money in the industries.

So, Mr. Speaker, what we have to prove to this government is the good points that are necessary in putting in an umbrella. Now I've offered for evidence to them, the letter that I've read and I'm quite prepared to table that so that they can peruse it, and certainly they're welcome to have copies and they're welcome to read it and all of those kind of things.

And it's necessary that they do that because this is the chairman of the Surface Rights Board who has an understanding now not only of the comparisons of the oil and gas basin in Saskatchewan and Alberta with the ones in Louisiana, but he also has an understanding of course of the legislation in Alberta because he himself has a legal background and has done some studying on the matter.

We also have, Mr. Speaker, offered to the government the package of all of the Acts and regulations that Alberta has. And we are certainly willing to share with all of the members, either by tabling or by direct contact, all of this material. From Alberta I have received the surface rights in Alberta, revised 1998, from Alberta's Agriculture, Food and Rural Development. We have pamphlets that describe how the industry works, and the fact that it is all under one umbrella over there.

And that's important for these government members to understand that, that the process not only has been tried and proven, it is nice and close by. And I actually have the documentation with me that they are willing or are able to share, and I'm willing to share with them.

We have the surface rights and the land agents' guide for landowners and occupants concerning land agents and surface rights agents. That too is under one umbrella, just like I'm asking for this amendment and this pipeline Act to be included. And we're going to get to that more specifically in this actual pile here. We have the well-site selection and surface owners. And of course in Alberta you have an opportunity as a property owner, because they believe in private ownership over there . . . they're not like the socialists in Saskatchewan that believe the government owns everything.

Over in Alberta they respect the individual ownership. They respect the fact that farmers and ranchers have paid for their land and their properties and have some rights on them. And they understand the need therefore in order to protect the environment, which of course in most cases affects not so much the people that live on the land but the people who live in the

cities. They understand the need to respect the environmental conditions and they know that if you don't take care of the water supply on one farm, it might be the person in the city that drinks the polluted water because water runs downstream. And they understand that in Alberta, but in Saskatchewan we haven't quite figured that out yet.

So what we're saying, Mr. Speaker, is that all of these Acts and all of these amendments need to be put under this umbrella. I have, to prove my point to the government, Mr. Speaker, a copy of the Surface Rights Act from Alberta. This is a consolidated form that was sent to me by the minister in charge over there, and it was consolidated in February 11 of 1997, as recent as last year. We also have the Surface Rights Act general regulations from the province of Alberta — all under one Act; everything is put under one Act.

From Alberta of course, we have the letter saying to myself that they were more than happy to be able to supply this information and that if we want to contact them to be able to try to set up a piece of legislation in Saskatchewan, they're more than happy to work with us.

And I offer that to the ministers through you, Mr. Speaker, that the government has indicated through a letter to myself, signed, that they are very happy to work in cooperation with the minister from Saskatchewan if they want some guidance in producing an umbrella legislation that would bring all of these pieces of legislation and all of these amendments together under that umbrella. They're quite happy to help us out, and I think we ought to take them up on that.

We have of course, the seismic operations in farmers and farmers' rights, and of course in Saskatchewan there are some rights in that area. In Alberta, people of course have more rights and they're more respected.

(1215)

Now more specifically, Mr. Speaker, the pipelines in Alberta. And this is of course an amendment to The Pipelines Act that we're talking about and want to have put under this umbrella. But in Alberta, the pipelines in Alberta, what farmers need to know and what it says in there of course, is that it is all under the umbrella of one piece of legislation; it's all under the umbrella of the Surface Rights Acquisition and Compensation Act over there.

And the Surface Rights Arbitration Board over there can handle every pipeline, not just flowlines. And that is important, Mr. Speaker, for this province to understand, is that pipelines are not so much different than a flowline. They do have a difference. They do need to be defined as differently, but they all can be handled under one piece of legislation, and they can all be handled by one ministry. And it would be very simple and very inexpensive compared to the process that we are employing here in Saskatchewan now.

Now the document, of course, is not a lengthy one. I think they suggest probably 15 to 20 minutes to go through each one. And I'm more than happy to, as I said before, share them with government members. Because of course it makes the point, and then of course the last document that they have provided

me with was the negotiating of surface rights because in Alberta they do want people to negotiate. They want people to settle their own problems. They encourage that.

The whole process of a board of arbitration, and the whole process of this umbrella that they have there, where all of these pieces of legislation that we're talking about would in Alberta be under, the whole process of that is a backup system in case private negotiations don't work out. But they encourage that and they have totally opposite philosophy in Alberta than we have.

In Saskatchewan the philosophy is that the board of arbitration is the board of last resort. In other words, you try to have everybody negotiate, and you provide an atmosphere though so that people feel that they have to take less than they're worth or less than they should have, that they don't protect their environment, they don't protect their water, they don't protect their food supplies as much as they should, because it's a board of last resort.

In Alberta the philosophy is exactly the opposite, Mr. Speaker. And that is that it is a board of first resort. It is considered that as soon as there is a dispute you make the whole process and the vehicle of the process easy and simple for people to access very quickly, very easily, before tempers flare, before people become angry. And as I've said before, they include the power corporations, they include the telephone companies.

All of those areas of expropriation that have to do with the public good are all handled under this same umbrella. And it is all handled with that option of people having a very inexpensive right to go to an arbitration board that hears both sides of the story and then works out a compromise position. It doesn't work every time. They still have a provision for courts to be accessed in those very serious areas of dispute.

But the reality, Mr. Speaker, is that most people who have a piece of their property expropriated, first of all don't like to be expropriated because that means you get paid less; that's the fundamental thing that happens. They also of course have concerns about environment and the pollution to their land and to their grass or to their crops or whatever kind of land it happens to be. They have all of those kinds of concerns.

And when people expropriate, that means they take by force. People become angry when something they've bought and paid for and slaved to buy is taken by force. In this process you mellow out that forcefulness. You still take the land by right of entry orders, which of course in itself has a more receptive sound, but what happens is that the land is not taken until you have the right to sit down and have your day in court at an inexpensive cost that you can afford.

In the Saskatchewan process, if you're not a millionaire you can't fight back. In Alberta, except of course with the Surface Rights Act, which doesn't regulate pipelines, but for flowlines and oil wells and gas wells, that is in place here. So we have the vehicle, we have the legislation; we just haven't included everything the way Alberta has.

They've used that surface rights legislation as their umbrella. And that's what this government should be looking at. And

that's what I'm saying to them through you, Mr. Speaker, is that they should be doing.

We could eliminate so much of the cost and so much of the hassle. Plus it provides people who are being expropriated by people like SaskPower with that opportunity to have a chance to vent their views and their anger, and to diffuse it, and to not feel so badly once this program has gone ahead, because they've had their chance to say their piece. And they've also had a chance to make their arguments for changes that might or should be made. And in Alberta that board does have the power, and they do. And I can give you some classic examples of things over in Alberta that have been changed.

An entire gas industry project had to be moved because the fumes from the burn-off of that gas plant were poisoning the feed supplies of a dairy operation and they detected that those things were going into the milk. Now this government doesn't seem to think that that's important. But in Alberta they recognize the fact that pollution is something that has to be taken care of in order to provide for a safe environment for us to be able to continue to live in.

And I guess maybe the reality is that they've probably read the lengthy report that was done in the *Wall Street Journal* some years back. It's called the "Louisiana Report," which compares all of the problems that have happened in the southern United States, in the oil basin, with what's going on in Alberta. They've done extensive studies — hundreds of thousands of dollars worth of studies — to prove to everyone that we need to take care of our environment.

And the result has been that they're light years ahead of us now. And wouldn't you be surprised to know that the oil industry still prefers to work in Alberta to Saskatchewan, even though they are more rigidly regulated in terms of environment than we do in Saskatchewan. That has to do of course with other rules and other regulations.

But the fact of the matter is that in Alberta the industries are regulated under an umbrella, and they all do it with a relative state of peace and harmony that we do not have in Saskatchewan.

The negotiation of course for right of ways under pipelines in Alberta, it says here, and I want to quote this for the record:

After January 1, 1977 pipelines and utility companies also gained rights and rights of entry under the Surface Rights Act.

So there you have it. The pipeline Act is under the jurisdiction of the Surface Rights Act.

And I wanted to read that into the record, Mr. Speaker, so that the minister cannot dispute with me the fact that in Alberta this umbrella does exist, it is real, it has worked since 1977. No question about it, they've amended it, they've worked on problems over the years, and it would be necessary for us to do that as well. But I suggest to the minister that the amendments to this pipeline Act are not the way to go in the whole scheme of things.

Now that we have talked about the generalities of the umbrella, because I know this government is not in a position to be able to put an umbrella together immediately and probably doesn't have the desire to do it anyway. The reality is though that this particular piece of legislation in itself is wrong, in itself is not good. And I want to now more specifically pick it apart, Mr. Speaker.

I wrote to the Premier some time back to outline this, and I think it's important that I quote from this letter in order for people to understand that this is not a new initiative to try to get changes made to the thinking of this government. This has been going on for a long time. So it's not like they don't know about what's going on in the world; it's just they're too stubborn to act on it.

I have written to the Premier, and in this letter I say that your government is planning to take control of flowlines and the lines from the oil and natural gas wells that take product to central collection centres out of the jurisdiction of the Surface Rights Act and place them under The Pipelines Act which at present supersedes the Surface Rights Act, 1969.

As the statements we have seen are contradictory, this part of the changes may be taken out of the amendments that are being prepared for The Pipelines Act. At this point it is the government's intention to introduce these changes in the spring sitting of the legislature. We were aware of that at that time because of course the minister had seen fit to share with us the draft copy of his legislation. And subsequently we did find out from legal opinion that in fact the flowlines do still remain under the jurisdiction of the Surface Rights Act in some form. And we're glad of that.

But the contradiction that lies in here is not necessary, because once again we could be doing this whole package under that umbrella I talked about and then we wouldn't have to have these contradictions. It would be just one straightforward thing where the Surface Rights Act would take care of both flowlines and pipelines. So you wouldn't have to agree about which Act has jurisdiction, and you wouldn't have to have the red tape of dealing with two or three different ministers to try and figure out who you're really talking to and who you should be talking to.

I continue here with why will changes to The Pipelines Act negatively affect our environment and why should The Pipelines Act not only not be amended but be abolished and placed under the jurisdiction of The Surface Rights Acquisition and Compensation Act. The answer at that time that I offered for the Premier, Mr. Speaker, was as follows.

Under The Pipelines Act, oil and natural gas companies and pipelines have access to expropriatory rights . . . entry rights onto private and Crown land. With this right they have no responsibility to answer for their actions as do those controlled by the Surface Rights Act.

Yes, The Pipelines Act has a board which hears disputes. However, the board has no mandate to order changes that can protect the environment. The Surface Rights Board of Arbitration is a quasi-judicial board set up under authority of the Justice minister. It has, under legislation, the authority to

grant right of entry onto any land. Expropriation powers is what it really means. However with the right, the oil and natural gas companies, there is the built-in responsibility to answer for their actions, as any property owner can ask the board to disallow entry unless certain precautions are taken to protect the soil and the water from pollution.

Now it seems to me, Mr. Speaker, that this was a reasonable approach for us to take with the Premier. And it went on to say pollution from drinking water, and under today's conditions, this should be changed . . . Oh no, I've got that wrong. I just skipped to the wrong page there, Mr. Speaker.

But anyway I wanted to talk a little bit about the Premier and his response quite actually, to say the least, I was disappointed because the Premier chose of course not to directly respond. I guess when you get into areas of pollution and areas of the oil and gas industry, the Premier being a lawyer by trade probably realized that he should let his ministers respond. Unfortunately they know even less than the Premier knows about the issue, which was evident by some of the responses that I got.

Here, I just want to quote a little more from this letter and I've got the right page here now. And it says:

If pollution does occur, property owners can ask for a hearing where both sides present their evidence and arguments. There is little cost for either side and the board has the power to order restitution and clean-up.

This approach is much more protective of the environment. The principles needed are in place through the Surface Rights Act and only need to be updated, enforced, and expanded to include all pipelines as well as the oil and gas wells and flowlines.

While there are many examples of abuse of The Pipelines Act, I would like to give you one classic example. In 1981 a pipeline company came to William Kruczko of Maple Creek and said that they were going to put in a pipeline on his land. At the same time a natural gas drilling company was negotiating with Bill to place flowlines on his land. They offered Bill \$800 per acre for the use of his land.

Now back to the pipeline company. They offered Bill \$100 per acre. Naturally Bill said no, and asked for the same as he had been offered for the flowlines which are controlled by the Surface Rights Act. The pipeline company went to Regina and returned with an expropriation order and proceeded to place the pipeline onto Bill's land using 15 acres of his land. This was done under The Pipelines Act. Bill received no compensation and had no recourse to anyone.

Yesterday, which of course was when we wrote this letter, January 27, 1998, Bill received a cheque for \$1,500 plus interest for the use of his land. Now there was no court case, no lawyers fighting back and forth. This just showed up out of the clear, blue sky.

And I want to explain that, Mr. Speaker, because here under The Pipelines Act this man's land was expropriated at \$100 per acre way back in the 1980s, and they never had to go to a board; they never had to account for anything. There was no process in

place.

And yet if it was a flowline he would've had the right to go to the Surface Rights Arbitration Board and get within 30, 60, 90 days there or some . . . I just don't know the exact dates. But under the legislation there are time limits. And the board hears the case and it's resolved then, instead of going for 15 years and then somebody digging up the file.

And I wasn't really surprised to hear about Channel Lake when I . . . because I've been talking to folks that have been handled like that by SaskPower over the years. I mean if they can't even remember that they've expropriated a man's land in Saskatchewan, how the dickens did they plan on running a natural gas company like Channel Lake. I mean the fact is they couldn't, and they didn't, and that's true. But the whole place is in a shambles.

And one of the reasons for that is, of course, in this small area of concern for SaskPower is because you've got two many ministers involved in too many pies and they don't know what they're doing. And you've got to get these Acts under one umbrella so that they can all be handled with some jurisdiction that has authority to be able to accomplish a settlement.

Now I further explained to the Premier at that time, that had this pipeline been under the watchdog eye of the Surface Rights Act, a right of entry would have had to be granted. The line would've had to be installed, but an opportunity for Bill to present his concerns about the price and the environmental impact would've taken place at a hearing set up by the Surface Rights Board. Seventeen years have gone by, and these same heavy-handed tactics continue under an Act that clearly violates our human rights laws as guaranteed under our constitution.

(1220)

And the Premier of course didn't even bother to answer as to whether or not he shared that same opinion. But anyway, I guess he's the Premier so he gets to do what he likes.

Now I went on to explain that now this is not to say that the Surface Rights Act is perfect. It is not. However, the principles are better. One of the major problems with the Surface Rights Act is that the method of selection of the board and others is the fact that the legislation is outdated.

For example, under the . . . (inaudible) . . . Acts of 1969, damages caused by the oil pollutants spills onto the land or into drinking water; under today's conditions, this should be one million, not one thousand.

But anyway, that was just an attempt, Mr. Speaker, to point out to the premier at that time that if this umbrella were in place it would solve not only the pipeline problems but it would also solve these environmental problems to some extent.

We're not going to stand here and try to say that we have the answers to cure all pollution problems. But we certainly have better vehicles than the ones that we've been using. And we certainly have a need in this province to use better vehicles . . . (inaudible interjection) . . . And if the members opposite want some examples of that, I'm quite prepared to stand here the rest

of the day and give them some because the fact of the matter is that we have water wells that are being contaminated and polluted in the province of Saskatchewan that not only affect the aquifer that I drink my water out of, but it also affects the aquifer that you folks drink your water out of.

And if anybody thinks that water underground doesn't move, you'd better check with the experts to find out that they have done tests and there are ways of testing to find out that water does move underground.

Now you'll say, why or how did you know that or how did they do that? Well I'll tell you how. The fact of the matter is that these days technology has advanced to the point where you can put perfectly safe radioactive isotopes into a water well and follow those radioactive isotopes by taking water out of another part of the ground some place else, miles away. You can test to see if that particular isotope is in fact the one that you had put down the original well. If it is, you know that that water moved from one well to the other. If it doesn't come up there, of course it hasn't.

But in the oil patch of course they're using that technology to follow the injection of salt water for the purpose of water flood, as they call it, which washes of course oil from the structure underneath by the use of rotating the water back and forth through the ground.

This is happening thousands of feet underground and this technology is very refined. These radioactive isotopes that are used to determine where those flows are running and how far they run and how fast they run. And they can measure in fact where that water pumped down this well is going to. And then they can drill an interceptory well to intercept that flow and catch more of their oil at another location. That's a very highly technical type of procedure that has been developed over the years.

The people in Calgary have a laboratory where they do the testing work. And this technology of course has been used extensively in Saskatchewan, and it can be used in water as well, is my point. And it has been. And they have proven that water underground of course runs exactly the same as rivers above ground. There's absolutely no difference in the way that it happens. Water runs downhill. No matter where you are it eventually goes some place else.

And the water in the aquifer in my well gets polluted, you can bet your bottom dollar that 75 miles away, within three or four days the people down there are going to get that same pollution because they're going to drink the water.

Now do you think that doesn't matter that there's a little pollution in some guy's well because he's out there in the Sand Hills north of Maple Creek? Well let me tell you, Mr. Speaker, and to the members opposite through you, that it matters, it matters a lot. Because when a well in the Great Sand Hills at Fox Valley gets polluted as a result of a pipeline that breaks, and the effluent runs into that well and pollutes it, and underground is your pipeline, it breaks, it follows the pipeline down and finds an easy aquifer.

Just like anything else it follows the course of least resistance

and it goes down and into the aquifer into somebody's well. That well is polluted.

We have living examples, proof of this, proof positive — wells that are documented to have been destroyed in this manner. And that well is drilled in some places 300 feet deep out in that country because that's where you get the only good water supply. And we have a case of where a pipeline, exactly the type of thing that's being mentioned in this legislation in this Act that's before us today, Mr. Speaker, and that well is polluted as a result of that effluent going down into that aquifer.

Do you think that that doesn't matter to other people? Let me explain further. This just happens to be called the Belly River and the Judith River. They're the two underground rivers that are in that area. And surface water of course is not very good because most of it has already been polluted. So they have to go to these underground lakes that run for miles and miles around and they're underneath all of south-west Saskatchewan.

And when you put a 300-foot level, you put pollution in it over there. Do you think that doesn't matter to the people who are 75 miles away at Gull Lake? It does, because even though their well is 600 feet deep because the land cover of course is deeper there, it's the same body of water. And when they pollute the water well over at Fox Valley, within a matter of a few weeks time the people in Gull Lake are going to drink that pollution.

And the same thing happens here in Regina. If a pipeline breaks over there . . .

The Speaker: — Order, order. The hon. member will be aware that the item before the House is second reading debate on The Pipelines Act. And this of course requires that the debate would be two things. One, it would deal with the principles of the legislation that'd be proposed before the House. And secondly, it would deal . . . the debate would deal with the Act itself.

And the Chair has been listening for quite some time to the hon. member's remarks and having a bit of difficulty finding the connection between the hon. member's remarks and the Act which is before the House. And I'm sure that the hon. member will want to conduct his debate in such a way that he'll be debating the principles of the Bill and of the Bill that is before the House, The Pipelines Act, at this moment.

Mr. Goohsen: — Thank you for that direction, Mr. Speaker. And most certainly I was just getting around to tying that all together. Because of course what this particular amendment to the legislation and the Act respecting pipelines, what that really is doing is providing an easier opportunity for pipelines to pollute our water. And that was the connection.

Because this Act is actually going to provide for the problems that we are going to experience and have experienced and allow them to get worse instead of better. And that was my connection. And I'm going to stick with that theme of now explaining to government members and particularly through you to the minister, why other people in our community think that this Pipelines Act is dead wrong and that the minister's new amendments are not helpful, and that they in fact are probably dead wrong as well. And of course in the broader scheme of things that the whole group of amendments and the whole

group of legislation should be put under that umbrella that I referred to earlier.

I want to quote from a letter directly concerning this particular amendment I received of course after asking for a legal opinion from a prominent lawyer in the south-west. I asked for a legal opinion from him with regards to this draft legislation when we had gotten it. And I have an answer from him and I think it's important that I read some of this into the record because he refers directly to this piece of legislation, these amendments.

Now I'll skip the first paragraph because it relates to another matter, but certainly if government members want to have a copy of this letter, they're more than welcome. Again, we could either table it or they could come and get it and read it. The first paragraph is nothing that the . . . are being kept from seeing. It's just not relevant and I want it to be relevant to the Act for the moment, Mr. Speaker, having noted your concern.

I have received from Murray Walter, barrister and solicitor from Swift Current, Saskatchewan, the following letter:

I have reviewed the draft Pipeline Act of 1998 and I note that compensation for flowlines will still be determined by the Surface Rights Arbitration Board and that is positive.

And, Mr. Speaker, I think that sentence in itself will tell the members that this man knows what he is talking about. He's fair and he's willing to give credit to the government as well as point out to them their shortcomings. Because he says, the first thing they do, this is positive. Okay? But he says:

However it would also be preferable if compensation for other pipe line right of ways were also dealt with by the Surface Rights Arbitration Board. The Surface Rights Arbitration Board procedure is a simple procedure that is relatively inexpensive. It therefore gives landowners a real alternative other than just accepting whatever compensation is offered by the pipeline company.

You see, what he is doing, Mr. Speaker, is pointing out to myself and to the government members that The Pipelines Act is not doing the job that it is set out to do, and it's not doing, through these amendments, what the minister had of course proposed that it was supposed to be doing. And that an easier way to do it would be to fix it the way that he has suggested by using the other Acts and going to this umbrella process that Alberta has used.

It also goes on to say that:

The Expropriation Procedure Act provides for mediation pursuant to the Public and Private Rights Board and that is commendable. However, if settlement cannot be arrived at through mediation, the only remedy is for the landowner to commence court action in the Court of Queen's Bench. In most cases, the costs of proceeding with court action are much too high and therefore this remedy is inaccessible. The net result is that *The Expropriation Procedure Act* benefits the party that has the deepest pockets, which in this case are the pipeline companies. Most landowners are therefore obligated to accept the offers from the pipeline company.

In other words, Mr. Speaker, we don't really have any choices and we don't have any justice and we don't have any fairness. We simply have a system being promoted by this amendment, a system promoted and encouraged and continued that is unfair and only allows for the people with the most money to benefit.

That's not what society and justice are supposed to be about. They're supposed to be about fair play for all parties concerned. And what we are saying to the minister again is that not only do I think this, but a prominent lawyer gave his legal opinion. And for the past few weeks we've been hearing that the government takes very seriously legal opinions. They've offered many of them in the Channel Lake dispute. They say we should take that seriously. Legal opinions are important and they are something that we need to accept as a part of the way of making our decisions. And if it's important in that process, it's important in this process.

I also will take the liberty of pointing out to the members opposite that this is not only one of the most highly respected lawyers in our community, but he's also a person who once ran as a candidate for the NDP. And he has been struggling for years to get these people to listen to some kind of rational approach to putting all of these Acts and pieces of legislation under an umbrella and getting them all together just as we have been suggesting.

You see I didn't come up with all of these ideas myself. I've been using the ideas of a lot of other people. Because a lot of other people who live in these areas have dealt with these problems for years.

And of course the attorneys who work in their law offices are on the front line because as soon as a property owner has a problem with a pipeline company or one of the effects of these amendments, they go to the lawyers and they ask for help. And the lawyer throws up his hands and says, I'm sorry; if you'd have lived in Alberta, I could have helped you. But in Saskatchewan you're going to have to go to court and you're going to have to spend a half a million dollars, and I'm going to charge you a hundred thousand because it's going to take me a half a year of my life to put together a case just so we'd have a chance of winning. And you wouldn't want to go if you're going to lose.

And how many farmers do we know, Mr. Speaker, that have a hundred thousand dollars to be able to start out paying the lawyer and another \$400,000 to add to it as they go down the process of our legal system; then spend a half a million dollars and by the time you're done they end up in the Supreme Court because no oil or gas company will ever give in to a property owner. They'll spend those deep pocket dollars that the lawyer refers to in this letter, and they will spend it to make sure that they never establish the precedent that they have to pay anything.

And that is why people like Murray Walter have been trying for years to get these kind of amendments not only not put in, because they're wrong, but to get the whole Act put under an umbrella, under one jurisdiction in the government.

So, Mr. Speaker, if the members opposite don't want to take me seriously then surely they would take seriously one of the

people from the legal community who has run as a candidate for their party. Surely that must cut some water with them or hold a little weight.

Now we also of course had the minister make a reply. And he of course decided that he didn't like what Murray Walter had to say, so in our correspondence we had of course gone back to Mr. Walter and asked him if he would update his legal opinion. And just for the record, I will read in a very brief letter that he wrote back with regard to the responses, because we were getting from the minister, basically, the word no. No we're not going to make the changes you suggest. No we're not going to have an umbrella. No we're not going to fix things so that it's fair. So anyway it goes on here:

Thank you for forwarding the copy of the letter from Mr. (and it was the Minister of Energy and Mines that he referred to) dated April 3.

I note that (the Minister of Energy and Mines I'm injecting again for the name) points out that it is necessary that there be a process of expropriation. While I agree that expropriation is necessary, expropriation is already provided for flowlines pursuant to The Surface Rights Acquisition and Compensation Act. Therefore, if pipelines came under the provisions of The Surface Rights Act the expropriation could be done similarly as the flowlines.

(1245)

The minister couldn't get that through his head. He had to have a lawyer tell him twice. And he still hasn't figured it out and I'm absolutely just about ready to give up with this man because, Mr. Speaker, if you tell a man three times something that is a fact; and you get that fortified by lawyers who are working in the field, working with these problems on a daily basis, working with this legislation on a daily basis; and he tells the minister three times and he still doesn't understand . . .

Can you imagine the frustration that a farmer has who suddenly has a pipeline company coming through his land and expropriates his farm and takes it away and he has got no place to go for recourse? Can you image the frustration? Can you imagine now why sometimes farmers sit at the edge of their fields with a rifle in their hands. Or why they jump off their tractor with a 12-inch crescent wrench in their hands when they see an oil company truck. It's because they haven't got any recourse to any rational or justice type system. And The Pipelines Act is one of the greatest offenders we've got.

The Expropriation Act that SaskPower and the telephones work under is another terrible example. And all of those things could be taken care of in a much better way with this umbrella where this Act and these amendments should be placed. Everything should be put under that one umbrella because it has been proven to work better in Alberta. Not perfect, but better.

Mr. Speaker, I want to refer also to another letter with regards to this particular amendment. The minister I guess decided to take some great lengths to try to recover some of his credibility and so he wrote several pages. And I could thank him for the effort that he and his staff went to in writing these letters. I appreciate that effort. The fact that they're wrong is another

thing. But I do appreciate that they were willing to go the work to try to prove their point so that we in fact could enter into a rational debate with them to show them where their conclusions and their analogies were wrong.

And the fact that the minister and most of his staff have never seen an oil well became quite evident. The fact that they know very little about the gas industry also is very evident. And the fact that they absolutely have no comprehension of what farmers and ranchers go through when pipelines are put into their properties, of course that also becomes very apparent.

I want to get into this debate, some of the minister's points of view. Because we have to of course refute those in order to make our point that the minister has more homework to do.

Now in this letter we were writing to the minister, and we were writing in reply to his letter on April 3, which I also have a copy of . . . And I will try to match paragraph with paragraph of his comments in his letter with the things that we came up with after negotiating with not only Murray Walter, the attorney that I mentioned earlier, but also with the people from the Cypress Surface Rights Association, the people from the North-west Surface Rights Association. There's an association up at Lloydminster where Terry Crush of course is heavily involved. We also of course have Myles Bass in the south-east and the surface rights association down there.

And I want, Mr. Speaker, to let the minister know through you, that we had extensive correspondence with all of these individuals. And that correspondence, I'm happy to say, fundamentally and basically supported the premiss that Murray Walter had been putting forward all along.

And so we have, generally speaking, agreement and consolidated agreement from all parts of the province where the oil and gas industry presently work. And of course that doesn't mean that this particular Act wouldn't affect other people. Because of course there are some pipelines, like the TransCanada Pipeline, that go through other areas of the province, like Regina itself. And just to the south here there is a major pipeline that has gone through past the city. So this is of concern to other people in the area as well, to some extent.

But certainly the most important people in corresponding with those that we wanted to draw information from and opinions from, were those areas where we thought they had the best expertise and the most length of opinion based on the reality of their lives and the things that they have had to live through.

Now in the letter of April 3, the minister of course starts out in paragraph no. 1. He says here:

Your letter of March 9 (and of course there was a very long series of letters here) 1998 suggest surface rights issues pertaining to pipelines should be under the jurisdiction of The Surface Rights Acquisition and Compensation Act.

My reply to the minister at that time was as follows:

I am writing in reply to your April 3 letter.

The paragraph number one your assumption is correct. I do

believe that the Pipe Line Act should be placed under the jurisdiction of The Surface Rights Acquisition and Compensation Act.

We answered his question directly with a positive response because that's what we believed, based on the information that we've got, as a consensus from all of the people who are involved in the surface rights areas from all across this province. And of course some of these people have taken the time to go to Alberta to study also the umbrella legislation that they have over there, and the whole process that is in place.

His no. 2 paragraph reads as follows:

As I have noted in my previous correspondence to you on the proposed Pipelines Act 1998 (and that, Mr. Speaker, is the one that we're talking about today) surface rights issues related to flowlines will continue to be addressed under The Surface Rights Acquisition and Compensation Act with the new pipeline (regulations).

Now after considerable negotiation and discussion with other people we responded with the paragraph that said:

In paragraph number two you state that flowlines (a form of pipe line) issues will continue to be addressed under The Surface Rights Acquisition and Compensation Act. I am glad to hear this. My point is that this is a better way of protecting the environment; therefore, all pipelines should be treated this way.

Because the minister had completely missed the point. He thought we wanted flowlines under The Pipelines Act. What we really want is The Pipelines Act to be included under the surface rights Act with flowlines, so that our environment can be protected. And it does become a serious environmental problem that we are dealing with here.

His next paragraph, paragraph 3:

At the present time, The Surface Rights Acquisition and Compensation Act does not apply to surface rights required for pipelines. It only applies to surface rights required for drilling and producing oil and gas wells and the construction, operation and maintenance of flowlines, service lines, and power lines. Your proposal could not be accomplished without amendments to The Surface Rights Acquisition and Compensation Act.

Our response to that, Mr. Speaker, was this:

In paragraph three you state that the Surface Rights Acquisition and Compensation Act does not apply to the surface rights acquired for pipelines. Again I agree with you. My point is that they should be, and yes The Surface Rights Acquisition and Compensation Act would need to be amended to allow this to happen. Would this be any harder than the amendments to any other Act?

This in fact would be a very simple task for a government in power. Just as easy as amending the Pipe Line Act with the added bonus for the tax payers of eliminating the advisory boards now being paid to do nothing under the

Pipe Line Act. Ask yourself why our power lines and service lines are included. Answer because they are a part of the whole package needed to produce oil and natural gas. Follow the analogy through. Are not pipelines a part of the whole package of the oil and gas industry.

Now in paragraph 4 the minister goes on to say that the surface rights required for major pipelines in public utilities have been and should remain subject to expropriation:

... because of the significance of these facilities to the public good. There must be a simple, fair and efficient way to facilitate the construction and operation of major works like pipelines. That is accomplished through The Expropriation Procedure Act.

Mr. Speaker, we replied to that in the following paragraph.

In paragraph four you state that the expropriation powers are required because of the significance of these facilities (pipelines) to the public good. You further imply that the only way to accomplish this is through The Expropriation Procedure Act. Not true. The Surface Rights Acquisition and Compensation Act can and does do exactly the same thing with their right of entry order — if unchallenged, proceeds in seven days. If there is a challenge, the board has the power to set up a hearing within a very narrow time line frame and with the advantage that the hate and the hard feelings created by evoking The Expropriation Procedure Act can be greatly diminished when both sides have their day in court so to speak. With the further advantage that the unforeseen problems often missed in the heated anger of expropriation can be reasonably dealt with and avoided.

Please remember that for the most part we are talking about expropriation powers for private profit, motivated by the profit-motivated company. In most cases the public good has little to do with it. And that, Mr. Speaker, is a fact of life. The public good rarely comes into this debate and rarely is a factor.

It is mostly the private profits of private companies that are driving all of these entities. And of course they use the argument that we can overlook our environment and pollute our water wells because it's for the public good to get some gas and oil down a pipeline. Well that just doesn't wash any more.

Now number five he says:

As you are aware, the vast majority of surface rights for pipelines are acquired through negotiations and mutual agreement between pipeline companies and landowners. Expropriation is a very rare event. Nevertheless, a process like this must be available to ensure that surface rights can be acquired in the event of dispute.

Our answer here is that:

In paragraph five you state that the surface rights acquired for pipelines are different from those required in those areas covered by The Surface Rights Acquisition and Compensation Act. Again you are mixing the facts.

Yes, leases are the legal term used for well sites. Flowlines are normally farmed over just like other pipelines. Pipelines can and should be handled under The Surface Rights Acquisition and Compensation Act because your statement that no ongoing access to the surface is required is wrong. Pipelines require constant attention and constant repair. Ask the people at Cabri or Fox Valley where the Trans Canada Pipeline has blown out. The Surface Rights Acquisition and Compensation Act provides a built in mechanism for compensation (for) crop loss, etc. where problems arise. Pipelines could and should be handled the same way.

I didn't require leave to speak on this particular one, just for the member's information. I did require on the previous Act which of course didn't take so long, because it shouldn't even be here.

But I do want to read on from the minister's letter here:

The surface rights required for a pipeline are generally quite different from those required for wells and other surface facilities which occupy the surface of the land for some period of time. While a surface lease is required for a well giving exclusive access to the well operator, a less intrusive interest is required for a pipeline. Easements rather than surface leases are appropriate for pipelines.

I'm almost tempted to say, so who cares. But I better not; I'll keep on reading.

Once the pipeline is constructed, the landowner regains use of the land and no ongoing access to the surface is required.

Well of course what the minister is doing here is basically explaining how the laws of acquirement work in our province. And while they have absolutely no relevance whatsoever to the real discussion of why pipelines should be under an umbrella Act and why amendments to this Act are being made, nevertheless he made the statement and we did deal with it in our comments that I've just read in our statement with regards to his paragraph no. 5.

In the minister's paragraph no. 6, The Surface Rights Acquisition and Compensation Act:

All oil and gas operations are subject to the same environmental review and safeguards regardless of how the surface rights are acquired.

Again, most surface rights for wells, flowlines, and pipelines are acquired under mutual agreement between the operator and the landowner.

Now, Mr. Speaker, that is the comment made by the minister. And we, of course, answered to his comment as follows:

In paragraph six you state that all oil and gas operations are subject to the same environmental review and safeguards regardless of how the surface rights are acquired. This is a half-truth. The same government regulations are in place; however, what you miss is the input and understanding that people who live on the land, in many cases for four

generations, can contribute to what would be best for the environment. Most surface rights are settled through mutual agreements and in these cases serious problems are not foreseen. However, again in those cases where the land owners see a problem, under The Surface Rights Acquisition And Compensation Act, these problems can be explained to a real live board of arbitration before a right of entry is granted (nice term of expropriation order). While right of entries are usually granted, they often include (and rightly so) recommendations to be followed. The Pipe Line Act does not provide these protections as pointed out by Murray Walter's opinion.

The copy of which, of course, I have placed into the record previously, and for those who want to refer back to that I suggest that they get a copy of *Hansard* because I think my voice won't last long enough to quote it again. But if the members insist, I certainly could do that.

Now the minister goes on in paragraph 6:

For the reason noted I believe it is appropriate that the surface rights for pipelines, other than flowlines, continue to be dealt with under the current Pipe Line Act or the proposed Pipelines Act . . .

Well . . . (inaudible) . . . answered that. In fairness to your own colleagues, I ask that you reconsider your thinking. And I answered it this way, Mr. Speaker, and I say it again, that I know that you support and supported the Guyana power plant purchase.

The Speaker: — Order, order.

Some Hon. Members: Hear, hear!

The Speaker: — The hour of adjournment having been reached, debate shall now cease on Bill No. 25.

And with a wish for an enjoyable weekend. If you're with your families and your constituencies, and particularly for those hon. members who are mothers, with a wish for a Happy Mother's Day, this House now stands adjourned until Monday afternoon at 1:30.

The Assembly adjourned at 1 p.m.

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