

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, to present a petition in support of Saskatchewan disenfranchised widows. Reading the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to have the Workers' Compensation Board Act amended whereby benefits and pensions are reinstated to disenfranchised widows and whereby all revoked pensions are reimbursed to them retroactively with interest to April 17, 1985.

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

Mr. Speaker, the petition I have to present to the Assembly this morning is signed by individuals from the community of Saskatoon.

Mr. Gantefer: — Mr. Speaker, I arise on behalf of citizens asking for a review of parental rights. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to provide a review process with respect to family intervention to ensure the rights of responsible families are not being violated.

The signatures on this petition, Mr. Speaker, come from the communities of Melfort and Fairy Glen.

I so present.

Ms. Julé: — Thank you, Mr. Speaker. Mr. Speaker, I too have a similar petition that is asking for a review of parental rights. And the prayer reads as follows, Mr. Speaker:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to provide a review process with respect to family intervention to ensure the rights of responsible families are not being violated.

And the signatures on this petition, Mr. Speaker, are from Melfort and Prince Albert.

I so present.

Mr. Hillson: — Mr. Speaker, I present a petition this morning, the prayer of relief of which reads as follows:

We call on the federal and provincial governments to dedicate a significantly greater portion of fuel tax revenues towards road maintenance and construction in order that Saskatchewan residents may have a safe highway system.

The petitioners come from Maymont, Denholm, North Battleford, Richard, Swan Hills, Battleford, Meota, and Paynton.

I so present.

Mr. McPherson: — Thank you, Mr. Speaker. I bring forward petitions as well today. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to call on provincial and federal governments to immediately take steps to end unfair world subsidies and provide farmers with prompt relief from declining incomes, and act as watchdogs against rising input costs which are harming the rural economy.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, the people who have signed the petition are from Kincaid, Hazenmore, Ponteix, Kinistino, Melfort, Weldon, Leader, Maple Creek. I so present.

Mr. Goohsen: — Thank you, Mr. Speaker. I have this morning petitions from the rural municipality of Glen Bain No. 105 and the village of Glenbain. And I'll read the prayer on their behalf:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to immediately start work on the rebuilding of our secondary highway system to provide for safe driving on what are becoming known as pothole roads, to enter into negotiations with SARM and SUMA for a long-term plan of rural road restitution reflecting future needs, and to provide safety for all drivers as the new trucking regulations change safety factors on these roads.

As in duty bound, your petitioners will ever pray.

These folks come from the community of Glenbain, but also from Vanguard I see. And I'm happy to present on behalf of those, from Gravelbourg as well, this petition today.

READING AND RECEIVING PETITIONS

Deputy Clerk: — According to order the petitions presented at the last sitting have been reviewed and found to be in order, and pursuant to rule 12(7) these petitions are hereby received.

INTRODUCTION OF GUESTS

Mr. Shillington: — Thank you very much, Mr. Speaker. It is my distinct pleasure to introduce to the Assembly three persons in wheelchairs and their attendants. They are here from the Saskatchewan Abilities Council which is in my riding. They are participants of the Life Enrichment project with Saskatchewan Abilities Council. Their chaperons are Lynne Demeule and Barb Murray.

It will be my distinct pleasure after the question period to meet with these people and get their reaction to the proceedings. So I invite all members to join me in welcoming these people to the Assembly.

Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the Assembly a couple of constituents sitting in the west gallery at the very top, Lloyd and Audrey Bell. Lloyd and Audrey brought in some petitions this morning and presented them to the Premier.

Along with them is their son Gerry and a colleague Bob who are nurses at the Pasqua Hospital. I would ask members to welcome them here today.

Hon. Members: Hear, hear!

Mr. Ward: — Thank you, Mr. Speaker, to you and through you it is my pleasure to introduce in your west gallery a group of grade eight and nine students from the Torquay School in my constituency. With them also is their teachers, Ms. Antosh and Mrs. Durr. Their chaperons, Cam Holzer and Ms. Mann, I believe. It is going to be my pleasure to meet with them later after question period, have a drink with them, and yes I'll even pay for it, Mr. Speaker. So I'm looking forward to them having a tour and meeting with them later.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Prairie Agricultural Machinery Institute

Ms. Julé: — Thank you, Mr. Speaker. Hon. members, I want to take a moment to highlight and celebrate a pillar of Saskatchewan's research and development community which is located in the thriving rural town of Humboldt, and publicly acknowledged their role in ongoing contributions to our agriculture and industrial sectors.

Over the years the Prairie Agriculture Machinery Institute, known as PAMI to farmers, has tested nearly 800 farm machines, building an extensive base of experience in agriculture technology and processes that is unmatched in western Canada.

Over 5 million copies of evaluation reports are in the hands of farmers and others in the prairie provinces. Their record of recommendations for improvements to machinery manufactured in Saskatchewan have made a significant contribution to the quality and competitiveness of machinery manufactured in and exported from Saskatchewan.

In their current programs, PAMI is performing aggressive research and development for its clients to promote and enhance sustainable agriculture. While being respected worldwide and having contracts with many multinational companies that sell their product here, PAMI primarily focus on stimulating economic enterprises in Saskatchewan through a vast array of programs.

As an example they provide safety standards testings to companies like Doepker in Anaheim, Eastern Air Supply in Canora, and Power Pin of Regina to sell better, safer products.

In their confidential development program, they help about 20

manufacturers per year to develop new or improved existing . . . (inaudible) . . . products. And, Mr. Speaker, there is much more that I can say about the work at PAMI, and I will take the opportunity a little bit later today to expound on that. Thank you.

April Land Sales

Mr. Wall: — Good morning, Mr. Speaker. It's your good news boy from Swift Current with more good news — this time from Swift Current and Estevan and Kindersley and Lloydminster. I know the member from Kindersley doesn't like good news so I'll just address the rest of the Assembly.

Yesterday the April land sale of Crown petroleum and natural gas rights was announced. The sale, Mr. Speaker, realized 7.4 million in revenue for the province. This compares more than favourably with February sales of 2.9 million and is considerably more than the 5.8 million of a year ago.

The Weyburn-Estevan area received the most activity with sales totalling 2.9 million. Swift Current of course was right in there at 2.2 million. The other areas of play were Kindersley, Kerrobert, and Lloydminster.

This is good news, Mr. Speaker. The price of crude oil is on the increase, an increase which obviously is stirring optimism in the oil patch which makes me feel pretty good too.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Saskatchewan Federation of Labour Meets in Davidson

Mr. McPherson: — Thank you, Mr. Speaker. Mr. Speaker, today in the community of Davidson in the Arm River constituency, representatives of the Saskatchewan Federation of Labour will be meeting to discuss the Premier's future — or should I say the lack thereof.

The Premier can't really be surprised by this, after all he's destroying collective bargaining in this province. Mr. Speaker, those sorts of actions have gotten the Premier a walkout of 8,400 nurses; a smear ad campaign that is encouraging caring nurses to leave the province or the occupation; and hundreds of thousands of lost health dollars to move patients, most of which didn't need to be moved.

Mr. Speaker, the member from Arm River will be holding a meeting in Davidson today to meet with nurses from Moose Jaw-Thunder Creek, Regina, Living Sky, Saskatoon and Midwest Health Districts. These nurses, Mr. Speaker, want this government to treat them with respect and repeal Bill 23.

As the member from Arm River regrettably has a death in his family, Jim Melenchuk will be attending in his place.

In closing, I urge the Premier who is all too willing to insert himself in the negotiations to join Jim Melenchuk at this meeting and tell the nurses that he was wrong, he's sorry, and he'll now repeal Bill 23.

Lloydminster Credit Union News

Ms. Stanger: — Thank you, Mr. Speaker. I would like to congratulate the Lloydminster Credit Union on another successful year. Members gathered to hear about the credit union's success at the 56th annual general meeting held on March 30. The highlight of the year was an increase in real net assets of \$12 million. Total assets grew by 4.3 per cent to reach over 289 million which exceeds the 1998 budget by 1.6 million.

In addition, surplus earnings for 1998 after expenses and taxes are \$867,000 of which more than 730 was allocated to a contingency reserve. Another positive note for the Lloydminster Credit Union is that their membership has increased by 4.5 per cent, bringing their total to just over 19,000 members.

Mr. Speaker, I would also like to mention that John Vinek, general manager of the Lloydminster Credit Union, is retiring this fall after 31 years of service. The Lloydminster Credit Union has flourished and progressed under John's leadership. Over the years he has made a significant contribution to both the credit union and the community of Lloydminster. We would like to thank John for his contributions and efforts and wish him a fruitful retirement. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Birthday of Sergeant-at-Arms

Mr. Hillson: — Mr. Speaker, this is of course the Year of the Older Person, a stage in life which is fast closing in on many of us including our Sergeant-at-Arms who observes his birthday this weekend.

I ask all members to join with me in wishing him the very best, and the people who watch proceedings on television will not be aware that it is his unfailing good humour which never fails to brighten our day. And to all of us, I am sure, he is an ornament to this Chamber. All the best, Pat.

Some Hon. Members: Hear, hear!

Rural Dinner Theatre

Hon. Mr. Upshall: — Mr. Speaker, thank you very much. Mr. Speaker, it's spring and in the Watrous constituency the arts have come to life in the form of theatre. There are many, many active communities who raise funds through theatre in the community and I'm just always amazed at the talent and energy that goes in, and the success of these.

For example, Mr. Speaker, we have dinner theatres in Viscount, in Watrous, Nokomis, Allan, Guernsey, in Semans, Drake, Young, and also we'll take in Imperial. They're very close and they always wanted to be in Watrous constituency anyway, so we'll add them to the list.

But, Mr. Speaker, also in the constituency these people work very hard in fundraising. Drake, for example, goes into a community fund that raises money for the rinks and the halls and everything that goes on that needs donated money.

We also, Mr. Speaker, have professional dinner theatre in

Meacham. This weekend, starting this weekend and for the next three weekends, the Dancing Sky Theatre will be putting on a performance called *The Shipbuilder* by Ken Mitchell. And they always have very good turnouts. And Angus and Louisa Ferguson have worked very hard to bring professional theatre to rural Saskatchewan, and that is now surrounded with great amateur theatre.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

New Democrat Party Nomination in North Battleford

Hon. Mr. Sonntag: — Thank you, Mr. Speaker. Last night I drove up to North Battleford. And by the way, if you could see my eyes, you'd know that I drove back last night as well.

Anyway it was an amazingly easy city to find on our new four-lane Yellowhead Highway between Saskatoon and North Battleford, the one fine example this province has of what a national highways program could produce, should the federal government decide to create one.

However, I digress, Mr. Speaker. I was in North Battleford as one of 230 delegates and guests at a very interesting nominating meeting. This was to pick the next MLA (Member of the Legislative Assembly) for North Battleford.

The hall was packed, Mr. Speaker. Extra chairs had to be brought in. There was wonderful enthusiasm and speeches in support of three great candidates, and they had wonderful and outstanding speeches.

As guest speaker, the Premier was in equal fine form. It took two ballots to pick the candidate. She is none other than Kim Newsham, a young lawyer who will gladly make room for the current member to return to his practice back in North Battleford.

The current and future MLAs from North Battleford should wave to each other when they meet each other on the road, one going home and one coming to do the people's work here in Regina.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Canadian Tire Expansion in Estevan

Mr. Wall: — Thank you, Mr. Speaker. I'm pleased to inform the House about more jobs being created in Estevan. Thirty new retail jobs and work for 50 local residents have been created as a result of the upcoming construction of an innovative, new format Canadian Tire associate store.

A new look store will be located beside the Estevan Shoppers' Mall. With 22,000 square feet of retail space, the new store will triple the size of the current location.

The new features of the store will include a 12,000 square foot outdoor garden centre, an eight-bay automotive service centre,

and a parking lot that will accommodate five times the number of vehicles in the current location. Plans are to have the new Canadian Tire store open some time this fall, Mr. Speaker.

Canadian Tire has been serving Estevan since 1973. The construction of the new store is part of a 1 billion national store expansion program launched by Canadian Tire in 1994.

The national program is designed to provide customers with outstanding depth and breadth of merchandise selection, a more convenient shopping experience, and unbeatable services.

Mr. Speaker, this is another example of the many job opportunities being created in our province today.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Nurses' Strike

Mr. Toth: — Thank you, Mr. Speaker. My question is for the Premier. Mr. Premier, yesterday you and I both received a letter from Debbie Heathcote of Moosomin. The letter reads:

Dear Mr. Premier: It is with great sadness and anger that I am writing . . . one of my best friend's father died last night. He was one of the many that had been airlifted out of Saskatchewan under your Government's direction. His cardiologist . . . was not happy with this decision and verbalized that to management. My friend shared with me the emotional experience of going to the airport at 3 a.m. . . . and watching the airplane go up into the sky bound for Minot. She was in tears . . . that was the last time she saw her father alive. Her family believes that his airlift to Minot contributed to his loss of will to live and quickened his death.

She then goes on to say:

There were nurses in the essential services pool who . . . (were willing to look) after him.

Mr. Premier, end this strike now. What are you doing to bring this crisis to an end?

Hon. Ms. Atkinson: — Thank you very much, Mr. Speaker. I would ask the House to give me permission to read a letter that I have just sent to Rosalie Longmoore, the president of the Saskatchewan Union of Nurses. And I would like to read it into the record.

Leave granted.

Hon. Ms. Atkinson: — Thank you. This letter is sent this morning and it's dated April 16, 1999.

Dear Ms. Longmoore: Thank you for your letter of April 15, 1999.

I believe we share a strong common commitment to getting our health system working again, to building and improving upon it, and to moving forward to conclude a

fair collective agreement.

I want to assure you again that we have listened and heard registered nurses loudly and clearly. We have all gone through some extremely difficult days, and so have the people of our province.

For my part, I want to reiterate the following commitments to you and to your members, as discussed during your meeting with Premier Romanow a week and a half ago, and as set out in the attached memorandum:

(1) **On workplace issues and conditions:** Our government is committed to the negotiation of an agreement which will address and resolve key workplace issues facing registered nurses. We want to ensure that RNs/RPNs can provide better care for patients. Priority issues to be addressed in this collective agreement include a recruitment and retention fund; better seniority provisions; a binding independent process to resolve nursing practice issues; a commitment to convert casual and part-time work into full-time jobs; and other appropriate improvements to working conditions.

(2) **On pay equity and Dorsey normalization:** Our government is committed to pay equity for all workers in the health sector. The draft MOU contains appropriate assurances for SUN members. In addition, we are committed to normalizing differences between terms of work and benefits caused by the implementation of the Dorsey commission.

(3) **On compensation:** Our government is committed to the negotiation of fair compensation — fair to nurses, fair to other health care and public sector workers, and fair to the taxpayers of Saskatchewan.

(4) **Regarding Bill 23:** Bill 23 presents no obstacle to concluding an agreement. The Bill does not forbid discussion of any issues. In the event any future amendments are appropriate, consistent with the points above, they will be presented to the legislature.

I accept your letter of yesterday as a good faith undertaking. I ask you to accept this letter and these commitments as good faith undertakings as well.

In order for collective bargaining to resume between yourselves and SAHO, you, your union and your members must abide by all of the laws of Saskatchewan, and with the injunction issued by the Court of Queen's Bench dated April 11, 1999.

Please have your attorney contact SAHO's representatives to discuss the next steps.

I believe it's time for us to resume working together to get our health care system working again, and to jointly arrive at a fair collective agreement for your members.

Yours sincerely, Pat Atkinson, Minister of Health.

Some Hon. Members: Hear, hear!

**Response from Minister of Health to
Saskatchewan Union of Nurses**

Mr. D'Autremont: — I listened with great interest to the minister's letter to SUN (Saskatchewan Union of Nurses) and to Rosalee Longmoore. Unfortunately I don't believe it actually did address the questions that the nurses were presenting to deal with the issue, which was to remove the impediments to the wage negotiations. And that, Madam Minister, I did not hear the minister say.

She said, we can negotiate but those impediments are still there for the next three years, Mr. Speaker.

Madam Minister, you spent a lot of time running around the province yesterday right in the middle of the health care crisis doing NDP (New Democratic Party) business rather than carrying on with the necessity to settle this strike in Saskatchewan.

So, Madam Minister, will you set aside your NDP priorities and focus on ending the strike and meet with Rosalee Longmoore and the unions without any preconditions on the labour negotiations, on the salary negotiations.

Hon. Ms. Atkinson: — Mr. Speaker, what I can assure the members of the legislature and all of the citizens of Saskatchewan, that yesterday we received a letter from Ms. Longmoore indicating that she wanted some information contained in a letter.

Mr. Speaker, I believe that this letter addresses very clearly the issues that Ms. Longmoore referred to. Mr. Speaker, I think the letter speaks for itself and we will wait to determine what the Saskatchewan Union of Nurses' response will be to my letter.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. Madam Minister, everyone in Saskatchewan wants the nurses' strike to end but your government hasn't listened to nurses. Instead it chose to try and bully them into a contract and the strong-arm tactics didn't work, Madam Minister.

Yesterday, the Saskatchewan Party proposed a compromise to break the standoff. We attempted to amend the NDP's back-to-work legislation to remove the impediments to negotiations exactly as the nurses and SUN were asking. We believe that this action would lead to a resumption of negotiations and return to work by the nurses. But you, the NDP, flatly refuse to listen because it wasn't your solution, and now the nurses are also saying they will return to work if you amend the back-to-work legislation.

Madam Minister, your action now would be better than never. Will you do what the Saskatchewan Party proposed yesterday and what the nurses have asked for — remove the impediments in Bill 23 so that the nurses can go back to work?

Hon. Ms. Atkinson: — Mr. Speaker, I believe that the member did not understand or hear the contents of my letter. It's quite clear in my letter, and I will repeat again, verbatim:

Bill 23 presents no obstacle to concluding a (collective) agreement. The Bill does not forbid discussion of any issue. In the event any future amendments are appropriate, consistent with the points above, they will be presented to the Legislature.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. Madam Minister, those impediments still remain in place, even though the nurses extended an olive branch yesterday. And fact is, you carried on your attack in today's newspapers with the ads that you've been running, attacking nurses and providing them with misinformation.

The nurses want to go back to work. The people of Saskatchewan want the nurses and the government to compromise and to get back to work. Madam Minister, it's time to forget about the Premier's ego and focus on the proper solutions, the solution that we presented yesterday to remove — to remove the impediments, the similar proposals that the nurses are asking for.

Will you stop attacking the nurses and start listening to them? Will you agree to amend your back-to-work legislation, that SAHO (Saskatchewan Association of Health Organizations) and SUN can sit down and negotiate a fair . . .

The Speaker: — Order, order, order. Order, order. The hon. member for Cannington's question is not on the record because the Chair is unable to hear his question being put, and I ask for co-operation from members on both sides of the House to enable the hon. member for Cannington's question to be heard.

Mr. D'Autremont: — Thank you, Mr. Speaker. Madam Minister, will you amend your back-to-work legislation so that SAHO and SUN can go back to the negotiating table so that nurses can go back to work? Will you take out the offending parts of that legislation?

Some Hon. Members: Hear, hear!

Hon. Ms. Atkinson: — You know, Mr. Speaker, I don't quite understand why the member would be so interested in continuing to escalate this situation. Mr. Speaker, the people of this province want our health care system to return to them. And this government wants that to happen as well, and so do the Saskatchewan Union of Nurses.

To repeat again, because obviously the member cannot listen or hear, but I will say it again. In the letter, and I quote:

Bill 23 presents no obstacle to concluding an agreement. The Bill does not forbid discussion of any issue.

Now just listen:

In the event any future amendments are appropriate, consistent with the points above, they will be presented to the Legislature, (Mr. Speaker).

Some Hon. Members: Hear, hear!

Provincial Tax Rates

Mr. Gantefer: — Thank you, Mr. Speaker. My question is for the Minister of Finance. Mr. Minister, the Alberta treasury department recently undertook a study. They figured out how much taxes Alberta people would pay if they used Saskatchewan tax rates. Do you know how much it is, Mr. Minister? — \$5 billion; 5 billion. In other words, if Alberta charged your tax rates on Alberta taxpayers, they would collect enough money to run the governments of Alberta and Saskatchewan.

Now I don't think Ralph Klein is going to go for that, so why don't we do something about Saskatchewan's taxes? Mr. Minister, why was there no long-term plan for tax reduction in your budget? Why do you have no plan for cutting taxes?

Hon. Mr. Cline: — Well, Mr. Speaker, I thank the member for the question. I notice the member, in his description of Alberta taxes, doesn't bother going into the fact that Alberta residents pay a medicare premium, Mr. Speaker. We don't hear about that.

But what I want to say to the member is this, Mr. Speaker. That the record of our government since we balanced the budget, has been that since 1995 in each budget, Mr. Speaker, we have had tax reductions. We have reduced . . .

The Speaker: — Order, order. Order, order. The Chair was having some difficulty being able to hear the question being put, and now it is being impossible for the Chair to hear the answer being provided. And I ask for the co-operation from members on both sides of the House.

Hon. Mr. Cline: — I want to say this to the member, Mr. Speaker, that we have been reducing income taxes and sales taxes in this province in every budget since 1995.

And I want to indicate this to the member as well, that when his party was last in office they expanded the PST (provincial sales tax) to cover restaurant meals, children's clothing, reading materials, and used cars. And they harmonized the PST and GST (goods and services tax) and raised taxes for Saskatchewan people. That's their record, Mr. Speaker.

And I want to also say, Mr. Speaker, that if we weren't paying \$750 million a year in interest on their debt we could eliminate the sales tax and cut income tax by 50 per cent, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Gantefer: — Thank you, Mr. Speaker. Mr. Speaker, the minister is confused. The Saskatchewan Party is soon to be in office. Unfortunately we've never had the opportunity to be there in the past. Mr. Speaker, the reason for that is because the Saskatchewan . . .

The Speaker: — Order, order. Order, order. Now hon. members seem to have a great deal of interest in the question of the member from Melfort-Tisdale and I advise all members to allow him to put it clearly.

Mr. Gantefer: — Thank you, Mr. Speaker. Mr. Speaker, the

reason, the fact we're soon to be in office is because we're the only party in this province that's talking about meaningful tax relief. The NDP government has their record to stand on, and it's abysmal. The Liberals think that taxes are not high enough. And our party is the only party that's talking about meaningful tax relief, and it's backed up by WEFA Canada who says it's doable in a sustained, balanced budget way.

Mr. Minister, when will you catch on, this province cannot continue to pay the second highest taxes in Canada and have any economic growth in this province. Mr. Minister, where's your plan for tax relief?

Hon. Mr. Cline: — Mr. Speaker, we not only have a plan for tax relief, we have a record of tax relief.

Some Hon. Members: Hear, hear!

Hon. Mr. Cline: — We've had a successful record of not only balancing the books, but starting to reduce the taxes in this province. But I want to say to the member, Mr. Speaker, who wants to stand here and say he's not a Tory and he's not associated with the Devine Tories, when he left the Liberal Party for the Tory Party he jumped out of the chicken deep fryer into the frying pan, Mr. Speaker. And now he's uncomfortable.

And I'd be uncomfortable if I was him too, because he refers to the WEFA study of their platform. Six weeks after their platform was released, Mr. Speaker, they came out and said that they had overstated Saskatchewan's revenues by \$392 million and overstated expenditures by \$451 million. Well where have we heard this before?

And what did the leader of the Tories, Mr. Hermanson, say about this, quoted in the *Leader-Post*? He said, but I think this strengthens the document, Mr. Speaker.

Well this is the same funny money we saw in the 1980s, and it didn't work then and it won't work now, Mr. Speaker.

Some Hon. Members: Hear, hear!

Nurses' Strike

Mr. McPherson: — Thank you, Mr. Speaker. My question today is to the Health minister. And I'll have to say I'm very disappointed in the letter that she read here today. It shows that this is just another political game that they're playing.

And speaking of political games, yesterday my colleague for Thunder Creek and I met with nurses from communities throughout South Country Health District. We were shocked to hear that the CEO (chief executive officer) of the health district, Dale Schmeichel, was forcing LPNs (licensed practical nurse) from CUPE (Canadian Union of Public Employees) to immediately report to work and cross the nurses' picket lines.

And it doesn't end there. He says that when CUPE fines their members he will have the health district pick up their tab and pay the fines. He then threatens if the LPNs don't go to work he'll discipline them.

Mr. Premier, this is no less than political blackmail. Mr. Premier, the nurses of South Country Health District know your close ties to Dale Schmeichel, and they want to know if he's acting under your direction.

Hon. Ms. Atkinson: — Mr. Speaker, I've learned a long time ago that you cannot always rely on the information that is shared in this legislature or shared with the public because oftentimes the information is not accurate, Mr. Speaker.

Mr. Speaker, what I want to say to the member is that I understand why he wants to continue to escalate this situation. But I want to tell him that the people of this province, the government of this province, and the Saskatchewan Union of Nurses and their members want to get back to the bargaining table.

And we will, Mr. Speaker. We will have a collective agreement that is fair to the nurses, fair to the people of this province, and fair to other public sector workers, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. McPherson: — Mr. Speaker, Dale Schmeichel, the CEO of South Country Health District, worked directly out of the Premier's office to dole out NDP advertising. He was then sent to the South Country Health District to try and close down rural hospitals and demolish health care.

One day an ad man for the Premier, the next day a strike buster, and prepared to go wherever the Premier needs him. At the same time Saskatchewan nurses were handing out an olive branch, your hacks were hacking it in two.

Mr. Premier, call off your NDP MLA fearmongers, call off our strike busters. And for the sake of health care in this province will you now stand up and scrap Bill 23.

Hon. Ms. Atkinson: — Mr. Speaker, I would just repeat to the public that this member's information cannot always be relied upon. What I can say to the people of this province is that we believe that we could possibly see a negotiated collective agreement. It will depend on the hours ahead, Mr. Speaker.

Mr. Speaker, I know the member wants to continue to escalate this situation. But I would suggest to him that what we want to do is solve the problem, Mr. Speaker.

Mr. McPherson: — Mr. Speaker, the Premier pretends to be a great statesman. He claims to be a great negotiator, a great conciliator. Well here's your chance to prove you're a statesman, Mr. Premier — this time here at home in Saskatchewan.

The nurses want you to repeal Bill 23, especially section 7, and not play the games that you're playing here this morning. As the Liberals said at the beginning of the week, nurses need section 7 repealed so they can conduct bargaining in good faith.

Mr. Premier, the nurses have extended a hand of peace to you. Will you take it and repeal Bill 23, section 7, for sure, or are you going to say never?

Hon. Ms. Atkinson: — Thank you, Mr. Speaker. The Premier of this province last Wednesday met for over 11 hours to address those issues that the parties could not . . . were not able to address themselves. Attached to the letter I have sent this morning is the memorandum of understanding that the Premier thought would solve the issues, the impasse between the employer and the employee representative.

This memorandum has a date on it, Mr. Speaker; it has the hour on it. Our Premier has spent the last week trying to solve this problem, Mr. Speaker. And we believe that with some goodwill and with some common understanding, that we can in fact ensure that the people of this province have access to the kinds of health services that are so necessary.

Some Hon. Members: Hear, hear!

Mr. McPherson: — Thank you, Mr. Speaker. Mr. Speaker, the Premier alone has the power to end this chaos in our health care system. He alone can repeal this Bill and bring some sanity back to the process and stop the political games that you're up to this morning, Madam Minister.

Instead of being the statesman that he thinks he is, the Premier is acting like the spoiled child who pouts in the corner until he gets his way. And that's what you're doing. The whole country is watching, Mr. Speaker. They're all wondering why this man refuses to do what's right for health care. People in Saskatchewan are shaking their heads wondering why the Premier, this supposed great conciliator, won't repeal Bill 23.

Mr. Speaker, I ask the Premier, will he do the honourable thing? Will he do the premier-like thing: accept the offer of peace from the nurses, repeal Bill 23, and stop your foolish games, Madam Minister.

Hon. Ms. Atkinson: — I see the member has a lot of support on his side of the . . .

Some Hon. Members: Hear, hear!

Hon. Ms. Atkinson: — Now, Mr. Speaker, there are people . . . there are people in this province, Mr. Speaker, that are interested in the public interest. That is our Premier. And then there are people in this province that are interested in their own personal interest. And that is that member.

Some Hon. Members: Hear, hear!

Hon. Ms. Atkinson: — Yes. Mr. Speaker, there's a letter that has been sent this morning. The letter indicates clearly the position of the Government of Saskatchewan, and we will await the results, Mr. Speaker.

Some Hon. Members: Hear, hear!

Back-to-Work Legislation

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, again to the Premier. Mr. Premier, as I indicated earlier, a family is sorrowing this morning as a result of your policy. The Minister of Health indicates that she has responded to the olive branch. As I've listened very carefully, Madam Minister, Mr. Premier,

you could show real leadership by saying, including in that letter to SUN, you could show some goodwill and show some leadership by rather than saying we will make necessary changes to Bill No. 23 after negotiations, by saying we put all that aside, we will sit down and honestly and fairly negotiate with you.

Mr. Premier, will you indeed open up fair and complete negotiations without holding a hammer over the nurses' heads?

Hon. Ms. Atkinson: — Mr. Speaker, I want to reiterate again to the member that there is a section in the letter that I sent this morning that indicates that Bill 23 presents no obstacle to concluding our collective agreement. The Bill does not forbid discussion on any issue, Mr. Speaker. And in the event that future amendments are needed to the legislation, we believe that those amendments will be presented to this legislature.

Some Hon. Members: Hear, hear!

INTRODUCTION OF BILLS

Bill No. 26 — The Apprenticeship and Trade Certification Act, 1999

Hon. Mr. Sonntag: — Mr. Speaker, I move that Bill No. 26, The Apprenticeship and Trade Certification Act, 1999 be now introduced and read a first time.

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

Bill No. 240 — The Motor Vehicle Impoundment and Forfeiture Act

Mr. Hillson: — Thank you, Mr. Speaker. Mr. Speaker, I move that this Bill be introduced and now read a first time.

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

Bill No. 27 — The Queen's Bench Amendment Act, 1999

Hon. Mr. Nilson: — Mr. Speaker, I move that Bill No. 27, The Queen's Bench Amendment Act, 1999 be now introduced and read the first time.

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

Bill No. 28 — The Administration of Estates Amendment Act, 1999/Loi de 1999 modifiant la Loi sur l'administration des successions

Hon. Mr. Nilson: — Mr. Speaker, I move that Bill No. 28, The Administration of Estates Amendment Act, 1999 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.

Mr. D'Autremont: — Mr. Speaker, before orders of the day, I would ask leave to move first reading of a Bill, The Resumption

of Services (Nurses-SUN) Amendment Act, 1999.

Leave not granted.

ORDERS OF THE DAY

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 7

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Serby that **Bill No. 7 — The Prairie Agricultural Machinery Institute Act, 1999** be now read a second time.

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

Bill No. 16

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lautermilch that **Bill No. 16 — The Mineral Taxation Amendment Act, 1999** be now read a second time.

Mr. Heppner: — Thank you, Mr. Speaker. Bill No. 16, The Mineral Taxation Amendment Act, 1999. While this Bill contains some very minor changes it is nonetheless important in that it deals very specifically with our potash industry which has obviously blossomed since government control was eliminated and people were put in charge that knew what they were doing, to the extent that Saskatchewan citizens are now proud of that particular element of our industries.

As the minister explained, IMC (International Minerals and Chemical Corporation (Canada) Ltd.) Kalium is expanding at its Belle Plaine mine which is good news coming to us from the private sector — and I again underline it comes from the private sector. Hopefully we'll see a similar expansion at Colonsay down the road as well.

The main changes in this Bill, Mr. Speaker, will allow potash producers to pay their taxes on a consolidated basis instead of separately on each individual mine.

While none of us likes to pay taxes, it should at least be as convenient as possible. So this is probably a pretty good change. If the members opposite know anything, it's how to tax people. So we bow to their significant expertise, Mr. Speaker.

While the changes being proposed in this Bill are minor and won't bring an end to the world as we know it, nonetheless they do give us some reason for concern because the government is simply continuing to follow a path we're not that comfortable with. Many of the Bills we see moves much out of legislation and moves the things into regulations.

This Bill goes a step even beyond that, Mr. Speaker. Here we see moving some details out of regulations and giving the

minister sole discretion to change things. In this case, it is simply a matter of the acceptable form that is to be used. Whereas currently regulations set out what the form looks like, now it'll be solely up to the minister, outside of regulations.

Once again we're only talking about a form and it's not the most important thing in the world. However I just want to point out that once again how much power is being taken away from this legislature, that we've moved away from legislation, leap-frogged right over regulations, into the minister's office. Now the government is skipping right over those regulations. It is a concern we want to draw to the member's attention, that we see more and more of this every session.

While we do have some questions about this Bill, they can certainly be handled in Committee of the Whole.

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

COMMITTEE OF THE WHOLE

Bill No. 3 — The Intestate Succession Amendment Act, 1999/Loi de 1999 modifiant la Loi de 1996 sur les successions non testamentaires

Clause 1

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

Hon. Mr. Nilson: — Yes, Mr. Chair, I'm pleased to have with me Susan Amrud from the Department of Justice.

Ms. Julé: — Thank you, Mr. Chair, and good afternoon — or good morning I guess — Mr. Minister. And I would like to welcome your official, Susan Amrud. It seems to me that the name is very familiar and I may have a little chat with Susan a little bit later. I think you may have been from out in the Bruno area at one time or your family was. So it's nice to see you here today, Susan.

Mr. Minister, we have discussed a little bit about this amendment Act and it seems fairly clear what the Act is for. And as I've mentioned before we are very happy to see this kind of amendment. It clarifies some things and it clearly defines what happens to someone's estate if they die without a will.

But, Mr. Minister, I have a couple of questions and they're very brief. One of them is, what sort of research was done as to how many families this amendment will actually affect?

Hon. Mr. Nilson: — At this stage, it's hard to tell. We know that there was one solicitor, then a few others that we talked to, who had run into this problem. But usually it arises in a situation actually where there's some props, some mineral rights that are found and an oil company wishes to enter into a lease and then when they try to figure out who owns it, they realize that the registered owner on the title of the mineral rights is back two or three estates. And then they have to figure out how that asset can be moved forward. It's in those situations then that you need to have a clarity in this law. And so

practically we don't know exactly how many. It's very few, very few.

Ms. Julé: — Thank you, Mr. Minister. I'm having a little bit of difficulty following. I'm wondering if we're on the same Bill. We are talking about The Intestate Succession Amendment Act, okay. I think you went right into mineral rights and so on and I guess that's not quite where my mind was, so I will accept your answer certainly and re-read it in *Hansard* yesterday and try to make the connection to my question.

Could I just ask you one other, two other questions here. There is an amount of \$10,000 that is stated as the minimum for a preferential share, and I was wondering how was the \$10,000 figure arrived at?

Hon. Mr. Nilson: — The present law is \$100,000. When the change was made in 1978, at that point they increased it from 10,000 which was set in 1960. So up until 1960 there was no preferential share for the widow or the spouse of the deceased. In 1960 they took 10,000. I think the concept was roughly the value of an ordinary house at that time. By 1978 they increased that amount to 40,000, and then in 1990 that amount went up to 100,000. So that's roughly where the amount comes from is the value of the home.

Ms. Julé: — Okay, so then, Mr. Minister, from what you're saying there was already a preferential amount that was placed in the Bill by 1990 already, or, so this is 1999. Is this amendment simply to reiterate that 1990 figure?

Hon. Mr. Nilson: — No, this amendment relates to the fact that in 1978, when this Bill was amended, they forgot to reference the fact that any estate prior to 1960, the amount was zero. The Act in 1978 said any matter before 1978 would be \$10,000; after 1978 it would be \$40,000. But when you have an estate that you're trying to probate, say from 1952, the amount in that one is zero. Then if you had another estate that was in 1972, it would be 10,000; if it was in 1982, it would be 40,000; 1992, it would be 100,000.

Ms. Julé: — Thank you, Mr. Minister, that's a very fine explanation.

My last question is simply: does the length of marriage affect this preferential share in any way? For example, if the couple was only married a few months, would this preferential share apply in that case?

Hon. Mr. Nilson: — The preferential share would apply if you'd been married for five minutes.

Ms. Julé: — Thank you very much, Mr. Minister, and I bid you a good day.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

The Deputy Chair: — Committee members, your Chair has made his first error of this session. I forgot to invite the minister to report the Bill without amendment, and I now do so.

Hon. Mr. Nilson: — Thank you, Mr. Chair. I'd like to thank my official, Susan Amrud, who was with me when we dealt with that Bill, and I would move that we report this Bill without amendment.

The committee agreed to report the Bill.

Bill No. 4 — The Securities Amendment Act, 1999

The Deputy Chair: — I'll begin by inviting the minister to introduce his officials.

Hon. Mr. Nilson: — Thank you, Mr. Chair. I'm pleased to have with me Ms. Barb Shourounis from the Saskatchewan Securities Commission and Mr. Brent Prenevost from the Department of Justice.

Clause 1

Mr. Gantefer: — Thank you, Mr. Chair. Welcome to the officials, the minister. Minister, in your speech you referred to a committee, I believe it was the Zimmerman committee that made recommendations that the thrust of these amendments or this legislation comes from. Can you tell me how many recommendations there were and how many of them are being incorporated into this legislation?

Hon. Mr. Nilson: — We don't have the exact answer, but there were approximately 12 to 15 recommendations, somewhere in that range, and about a third of them are part of this recommendation.

I guess I should explain a little bit about the process. The Zimmerman committee was chaired by a person who was a CEO of, I think, Noranda, and he ended up working with the whole of the industry of Canada looking at securities and looking at a number of the issues around the bidding process in takeovers. And out of that there were some recommendations.

These recommendations then went to all of the securities commissions in Canada who reviewed them as it related to their own particular jurisdictions and some draft proposals were prepared and shared through the Canadian securities commission organization and those went through quite a number of discussions, and finally there was a version that everybody agreed should be incorporated into provincial legislation across the country.

And so what we have here is in our amendments is the version that is being passed in other legislatures across the country.

Mr. Gantefer: — Thank you, minister. Were there any of the recommendations that had impact on the national government in this collegial effort where the recommendations that had impacted and need to be passed on the national legislation stage.

Hon. Mr. Nilson: — The answer to that is no, because there is no jurisdiction in the federal government as it relates to the securities commissions. And that's why we have the discussions that we do about how we can work together as provinces and as securities commissions in the country to set up a system that has a national character but retains the regional and provincial tools

to make sure that we can raise capital in Saskatchewan or Alberta or whatever.

Mr. Gantefer: — Minister, is similar legislation being passed in all other provincial jurisdictions or are there some jurisdictions that are not choosing to pass this legislation? Or can you give us an update on the status of what's happening across the country?

Hon. Mr. Nilson: — Yes, I can report on that exactly. British Columbia, Alberta, and Ontario have already passed this legislation but it hasn't been proclaimed. Manitoba hasn't put their changes forward yet but they're on track to do that. Quebec has started with the process but it hasn't been passed there. Nova Scotia hasn't put forward their changes yet. New Brunswick, PEI — Prince Edward Island — Yukon Territories, and Northwest Territories do not have takeover bid legislation at all in their legislation. With Newfoundland, we're not quite sure what they're doing.

But basically in those jurisdictions where this kind of legislation is in place, either it's been passed and not yet proclaimed or it's in the process — except for Newfoundland which we don't know.

Mr. Gantefer: — Thank you, minister, and is there the agreement that all of these legislatures and the legislation that they're going to propose is going to be seamless in so far as that the timelines — the fact that you can change timelines, etc., by regulation instead of statute — those sorts of things, is that going to be implemented, you know, basically on the same basis right across all the provincial legislatures?

Hon. Mr. Nilson: — The answer to that is yes.

Mr. Gantefer: — Thank you very much, minister, and I take it from your initial answer to the question in terms of the communication with the local companies that are affected, or potentially affected, have been part of this whole process and if that . . . I take that at face value that the discussions, the communications have been very positive and very ongoing.

It's certainly the information we've received and we're very much supported and congratulate you on implementing this in a timely fashion. Thank you very much.

Clause 1 agreed to.

Clauses 2 to 8 inclusive agreed to

Hon. Mr. Nilson: — Thank you, Mr. Chair. Before I do that I would like to make a special point of thanking the staff at the Saskatchewan Securities Commission for all of the hard work that they've done in this national initiative to improve the securities legislation in Canada.

And I'd also like to thank Mr. Brent Prenevost and others who work with him for their advice as we work through these changes which make it better for business in Saskatchewan, but also in Canada.

The committee agreed to report the Bill.

**Bill No. 18 — The Constitutional Questions
Amendment Act, 1999**

The Deputy Chair: — I'll begin by inviting the minister to introduce his officials.

Hon. Mr. Nilson: — Thank you, Mr. Chair. I am pleased to have with me Darcy McGovern from the Department of Justice, and also Tom Irvine from the Department of Justice. Tom is part of the constitutional law branch and has had special advice around this Bill.

Clause 1

Mr. Heppner: — Thank you. And welcome to you, Mr. Minister, and to your officials this morning. When we have a title or a Bill that uses the word "constitutional questions," it right away sounds like it has a whole lot of importance behind it.

So the first question I have, Mr. Minister, is how many constitutional-related cases have had the need for the intervention of the Attorney General?

Hon. Mr. Nilson: — It's difficult to know exactly how many, but I think if we use the term "dozens" would be accurate in each year.

And basically it comes up in different ways. Sometimes people who are involved in a particular case will just phone in and find out if it actually is a constitutional issue, so there'd be contact based on this particular legislation. But ultimately it doesn't involve the Attorney General being involved in the particular case so it's hard to give an exact number.

Mr. Heppner: — Thank you. You mention that these things would arise in different ways and the information would come through to you in different ways. And I wasn't quite sure of the comment you made. Does the Attorney General decide whether it is merited for him to intervene in a case? Like how is that decision made?

Hon. Mr. Nilson: — The normal procedure would be that the director of the constitutional law branch would receive the notice. And many of these are routine; they're of a similar nature and they will be dealt with very quickly.

Some of them though involve much greater research. They would then be dealt with within the constitutional law branch with some briefs and ultimately go to the deputy minister. If it was one that the deputy minister felt needed review by the minister, then it would come to the minister.

As you can tell, there would be some cases each year that have a broader nature to them and those are the ones that have a higher profile and actually have an involvement of the lawyers for the Attorney General in them.

Mr. Heppner: — This amendment, I believe, basically reinforces the practice that already exists with lawyers and they already adhere to that particular practice. How was it ensured in the past that they were in fact informing the Attorney General in constitutionally-related cases?

Hon. Mr. Nilson: — This particular legislation has been in effect since 1979 and in the normal course the lawyers will provide the information. One of the issues that does come up though is: is it just the law itself; is it the various other parts of it; whether it's some of the regulations or whether it's under other pieces of legislation; and I think also involving sometimes the municipalities. And so the issue sometimes isn't always as clear.

What we wanted to do with this legislation, which is quite simple, was just to make sure that all lawyers would know that it included all aspects of the law, whether it was the statute or whether it was the regulation or some other situation like that.

Mr. Heppner: — Thank you, Mr. Minister. You mentioned that this sort of had its beginnings — and I believe the date you mentioned was 1979 — and I guess the question I had . . . I believe in 1995, The Interpretation Act 1995 may have unintentionally narrowed the operation of the term "regulation." Could you discuss briefly, as my last question, how that narrowing may have resulted in 1995?

(1115)

Hon. Mr. Nilson: — Basically we would call this preventative measure. There's a possible argument that nobody's made yet and we don't know of any case that's involved, but we just want to make sure it's absolutely clear that the term "regulation" in that interpretation Act wasn't incorporated in the broader definition of law that's in this Act.

And so just for further clarity, we want to make sure it said all of the different words that are used to describe what we're doing.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Hon. Mr. Nilson: — Thank you, Mr. Chair. I'd like to thank my officials and others within the department who have assisted them for their work in this area and I would move that we report this Bill without amendment.

The committee agreed to report the Bill.

THIRD READINGS

**Bill No. 3—The Intestate Succession Amendment Act,
1999/Loi de 1999 modifiant la Loi de 1996 sur les
successions non testamentaires**

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

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

Bill No. 4 — The Securities Amendment Act, 1999

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

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

**Bill No. 18 — The Constitutional Questions
Amendment Act, 1999**

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

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

COMMITTEE OF FINANCE

**General Revenue Fund
Justice
Vote 3**

Subvote (JU01)

The Chair: — Before I invite questions, we'll begin by inviting the minister to introduce his officials.

Hon. Mr. Nilson: — Thank you, Mr. Chair. I'm pleased to have with me a number of the officials from the Department of Justice: John Whyte, who's the deputy minister of Justice and deputy attorney general; Doug Moen, who's the executive director of public law and community justice; Colleen Matthews, who is executive assistant to the Deputy Minister; Elizabeth Smith, who's the director of the administrative services branch; Keith Laxdal — back there — who's associate deputy minister of finance, administration division; Ron Hewitt, who's the assistant deputy minister of registry services division; Darryl Bogdasavich, who's the executive director of the civil law division; Richard Quinney, who's the executive director of the public prosecutions division; Don Head, who is the executive director of corrections; Dave Gullickson, who's a senior policy analyst; and Laura Bourassa, who is the Crown counsel from the policy planning and evaluation department.

I look forward to your questions.

Mr. Heppner: — Thank you. And good morning, Mr. Minister, and to your officials this morning. We have a number of questions that I think are of fair importance and interest to people throughout this province.

Section 147(1) of The Non-profit Corporations Act states that all non-profit corporations must file an annual financial return with the corporations branch. In section 147(3) it states that a corporation that fails to file its annual returns "is guilty of an offence . . . liable on (a) summary conviction" of a fine of up to \$5,000.

Mr. Minister, I'm going to list a number of non-profit corporations that were struck from the corporate registry for failing to file financial returns. And the ones I'm going to list are as follows: The Regina Community Development Foundation, the North Broad Community Foundation, the west side community foundation, the Churchill Heights Assistance Association, Pine to Prairie Management Inc., cathedral area property management corp., Regina Wascana Plains Community Foundation, and the North East Community

Foundation.

Mr. Minister, was any legal action ever taken against any of these corporations for, under 147(3), failing to file financial returns?

Hon. Mr. Nilson: — The answer is no. Normal penalty is that they're struck from the register.

Mr. Heppner: — That's fine. That's a normal penalty. But my question was, was any legal action ever taken?

Hon. Mr. Nilson: — Not that I'm aware of.

Mr. Heppner: — Okay. So normally there should be something happen; 147(3) says that they are guilty of an offence liable for summary conviction of a fine of up to \$5,000. So I guess my question then is if that that's very plain and simple in 147(3), why wasn't any legal action not taken?

Hon. Mr. Nilson: — As far as I know from the officials there never has been a prosecution under this section.

Mr. Heppner: — That's amazing, Mr. Minister. We have this section which states very clearly — nothing obtuse about the language in there — that that's the offence and that's what should happen. And I guess my question is, it seems interesting that these corporations involved NDP MLAs.

How much did that play . . . how much of a part did that play in the fact that nothing ever took place on those difficulties?

Hon. Mr. Nilson: — It took no part at all.

Mr. Heppner: — Very interesting that we have a situation where according to 147(3) an offence took place. Basically these all involved NDP MLAs, and your department chose to take no action.

Mr. Minister, what's the point of having this provision in the law if you're obviously not taking any action to enforce it?

Hon. Mr. Nilson: — If the member wishes, I think there are approximately 3,000 other corporations that are in a similar situation. As with many of our pieces of legislation they include sanctions and penalties that may be used in some situation, whether it's a specific complaint.

And in this type of legislation it's . . . well obviously, there hasn't been a complaint that required the use of this legislation.

Mr. Heppner: — It's interesting that you have this big, long list of corporations that apparently have done the same thing. I guess if you would have addressed any of those you would have been forced to address these. And that may explain why your department has been so lax in that area.

Mr. Minister, when a non-profit corporation is struck from the corporate registry for failing to file financial returns, what is supposed to happen to the assets?

Hon. Mr. Nilson: — You're getting into a question where you're asking something we don't have all of the details here.

But my understanding is that normally when a corporation is struck or wound up or ended or whatever happens to it, assets are disposed of pursuant to the articles of incorporation and presumably that would be the normal course in all of these companies that are ultimately struck.

Mr. Heppner: — Well, Mr. Minister, it is my understanding that under The Escheats Act, when a corporation is struck for failing to file financial returns, all of its assets are supposed to be turned over to the Crown. Did the corporations branch ever take legal action to recover these corporation assets on behalf of the Crown?

(1130)

Hon. Mr. Nilson: — I'm not sure that your initial premise is correct, and so it's a matter where we would have to seek . . . or I would have to seek legal advice and try to respond to that.

Mr. Heppner: — Okay, let's do that, Mr. Minister. You have a lot of legal advice around you. You're supposed to be leading this province in what's right and wrong and how our laws in this particular province are supposed to be enforced. And so I just repeat that particular question: why not?

Hon. Mr. Nilson: — Well as I said before you're asking for, sort of, a whole legal description of a process here. I would be happy to provide you with what the normal course of action in all of these cases is in a letter, and I would undertake to do that.

Mr. Heppner: — Well that's interesting that we have a problem here that 11 of your advisers can't seem to be able to answer. And you've been aware of this. It's been in the media; I'm sure you read it in your local paper. And now you and 11 other people who are supposed to be leading this province in Justice can't seem to decide what is happening in this particular case.

And I guess my question is, is that lack of involvement and the fact that you did nothing on that particular situation and get those assets back in the Crown, as the Act very specifically specifies, have anything to do because those organizations that are listed earlier on, involved NDP MLAs?

Hon. Mr. Nilson: — The answer to that is no.

Mr. Heppner: — Okay, and so now that you've been made a bit more aware of it, is it your intention to take action against these corporations now for failing to comply with the Act as the Act very specifically says is supposed to occur?

Hon. Mr. Nilson: — As I said before, I'll provide you with a detailed description of the process and if there are specific concerns that are there, well then maybe they can be dealt with. But my understanding is we need to give you the information about the normal process.

Mr. Heppner: — What actions have you taken to determine how these corporation assets were dispersed. Because according to the legislation that's there, the assets remaining are supposed to go to the Crown. So what digging have you done and what actions have you taken to determine how those assets were dispersed? Because they are supposed to go to the Crown.

Hon. Mr. Nilson: — As I said before, my advisers don't know that that's exactly what's supposed to happen at this stage, but we're going to get some information and we'll set that out; or if we get the answer here before the morning's out, then I will provide you with the information.

Mr. Heppner: — Some amazement over on this side of the House, Mr. Minister, that you have these corporations who failed to comply with the Act. It's your job to make sure that the Act is upheld and yet nothing has been occurring. And, Mr. Minister, you, I believe, are clearly in a conflict of interest making these kinds of decisions because they involved your NDP colleagues.

Would you be willing to refer this entire matter to the Justice department of another province, like Alberta or Manitoba, to conduct a complete investigation into the activities of these non-profit corporations and their non-compliance with the Act?

Hon. Mr. Nilson: — As I said before, we're going to take a look at the whole process and obviously if there's some problem that involves a situation that there is a conflict, then we do send it to other provinces and those are the kinds of things that would happen.

So that's the normal procedure; we've used it in other situations. But at this stage, we're just looking at the process.

Mr. Heppner: — Well thank you for that commitment because here you had these non-profit associations that were controlled by NDP MLAs, and you have just said that if you find that there's a difficulty there with you as the person from that side of the House making a decision, it will be sent out of province. So we will be looking forward to that occurring.

There are two kinds of non-profit organizations, or corporations, Mr. Minister. One is a membership corporation and one is what's called a charitable corporation. Could you explain in some fair detail the difference between those two?

Hon. Mr. Nilson: — In consultation with the officials, if you have some very detailed questions, because that's what these are, please give them to me in writing or orally now, and we will take a look at them and provide a response. But these are technical, legal questions that require quite a bit of review before you can respond.

Mr. Heppner: — Well I'll be asking the same question again, Mr. Minister, because surely when you have 11 people sitting around you, you should be able to differentiate between a membership corporation and a charitable corporation. You could . . . I could ask any other question about business or the corporation or private or independent or whatever it would have to be called, and your officials would have the answer very specifically.

Surely something as simple as a membership corporation and a charitable corporation, you should know the difference for that. Section 2(9) of the Act states that if a membership corporation carries on certain activities — that's section 2(9) — if a membership corporation carries on certain activities it is then deemed to be a charitable corporation. Could you explain this process please? How does a corporations branch . . . How does

your corporations branch go about deeming a corporation to be a charitable corporation?

Hon. Mr. Nilson: — I'll thank you for that question again. And we'll take it and, after some careful consideration, provide a response.

We have very good lawyers in the Department of Justice, and one of the ways that we deal with legal questions, like all good lawyers, is to carefully review the question, then do research, do reflection, and then provide an opinion. And we're not in a position, in this format, to give you the kinds of technical answers to the questions that you're asking.

Mr. Heppner: — Thank you, Mr. Minister. I was under the impression that's why you had your entourage with you, to go ahead and provide that information, and that the research was supposed to be right there with you.

One of the conditions, one of the conditions under which a membership corporation is deemed to be a charitable corporation — and I would hope that you have your people right there do a little digging on that right now — one of the conditions under which a membership corporation is deemed to be a charitable corporation is if the corporation solicits donations from the public.

That's fairly simple. Is that correct, Mr. Minister?

Hon. Mr. Nilson: — We'll put that question into the other list and we'll provide the answer after due reflection and thought about it. All the officials are here today prepared to answer questions about the budget and about the estimates, and we're prepared for that and we look forward to some questions that are relevant to why you're here.

Mr. Heppner: — Well this just somehow doesn't seem that these questions should be that difficult, Mr. Minister.

Charitable organizations. You just listed earlier on that there were dozens if not hundreds of these that have gone through this process. So this isn't one isolated little corporation or a little company that's found a little loophole someplace. You by your own statement earlier on said there are numerous ones of these, and it's surprising there can be numerous ones of these existing and having moved from one situation to another and no one in your entourage knows anything about it.

Mr. Minister, recently a non-profit corporation called Tommy Douglas House was formally dissolved. And you're aware of that, Mr. Minister. For 20 years Tommy Douglas House operated as a membership corporation even though it is common knowledge that it solicited donations. Everyone across the province knows that. Some of these donations were subsequently turned over to the New Democratic Party.

Mr. Minister, why was Tommy Douglas House never deemed to be a charitable corporation? And you, Mr. Minister, should know all about Tommy Douglas House.

Hon. Mr. Nilson: — That's another question that involves some thought and some care in response, and I'll take notice of it and provide you with a response.

Mr. Heppner: — Well there will be a lot of time I guess that will need to be taken because when people like the members on the other side of the House who've had a major part in Tommy Douglas House now seem to have to do research to find out what their organization was all about, things must have been in major disarray there.

Mr. Minister, Tommy Douglas House routinely solicited donations from people and businesses who wanted to avoid having their names disclosed under The Elections Act, 1996. In a newspaper clipping from the Regina *Leader-Post*, June 5, 1996 a Regina business executive is quoted as saying and I quote:

They (meaning you the NDP) make it clear that there are two ways you can make a donation, either by giving money directly to the party and having your name listed or privately giving money to Tommy Douglas House.

I also have transcript of a June 6, 1996 CBC (Canadian Broadcasting Corporation) interview with Brian Leier, one of the directors of Tommy Douglas House. He says: "that donations to Tommy Douglas House come from bequests, from the Premier's dinner, from private donations."

Mr. Minister, you should be aware of this, and I have the following question — but this is kind of a moot point since Tommy Douglas House has been dissolved — but I like to answer the question . . . or ask the question anyway. Given the fact that Tommy Douglas House Inc. raised money by collecting donations from the public, should it not have been deemed a charitable corporation pursuant to section 2(9) of the Act?

Hon. Mr. Nilson: — Once again this is a very specific, legal question and we don't respond to those without appropriate research and review, and we'll be in a position to provide that in due course.

Mr. Heppner: — Will you make a commitment then to have the answers for some of the questions — in fact all of the questions I've asked so far — at the next sitting of the Committee of Finance, Department of Justice . . . Department of Finance?

Hon. Mr. Nilson: — We'll certainly be ready to provide information about how this non-profit corporations Act works, and the information around these various questions, the next time that we're here in the committee of Justice provided that we have enough time. I mean we obviously wouldn't be ready next week.

(1145)

Mr. Heppner: — Okay. You've said that you will provide us with the process that's involved. I specifically want to know, to this question: should Tommy Douglas House not have been deemed a charitable corporation pursuant to section 2(9) of the Act? Will we have an answer for that at that time, Mr. Minister?

Hon. Mr. Nilson: — Yes, we'll provide the information about how Tommy Douglas House was dealt with as it relates to that specific question. But it'll take some time to do that.

Mr. Heppner: — Thank you. We'll be expecting those answers at the next time that we meet in this particular fashion because we have a lot of time. We realize that your Premier would like to hold an election in June and your members would like to have that held before all of this comes out. But we're quite prepared to be here for a fairly lengthy period of time to make sure we get the answers to this.

Because you, Mr. Minister, and the other members of the NDP over on that side, have been involved in Tommy Douglas House, and a number of them have been involved in some of these other charitable organizations and we'll want to know specifically what did happen and what should have happened. And we're very keen on what should have happened and we believe didn't happen in those particular cases.

And while you're preparing a list of questions to have the answers for at that next particular time, Mr. Minister, I have one or two more questions that I'm going to add right now. And I would imagine you will give us the same answer. But I just want those on the record so that you can prepare yourself with your officials for that, for that particular time.

Section 191 of the Act deals with the revival of a non-profit corporation that has been dissolved. It says any interested person may apply to have a corporation revived. And we want to know your definition of an "interested person". You may just write that down and keep that for that next time because I don't expect an answer today. And also under what conditions the director of corporations would grant a revival?

So would you add that to those list of questions? We will be looking forward to the answers. And we will be here till we do have the answers on all of those, regardless of what the timeline on that happens to be. So with that in mind I think that at this time the committee should rise and report progress.

The committee reported progress.

The Assembly adjourned at 11:51 a.m.

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