

The Assembly met at 1:30 p.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. D'Autremont: — Thank you, Mr. Speaker. I have petitions to present today on behalf of Saskatchewan's disenfranchised widows. The prayer reads:

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.

These petitions, Mr. Speaker, come from the Saskatoon area.

I so present.

Ms. Draude: — Thank you, Mr. Speaker. I also have a petition today on behalf of Saskatchewan's disenfranchised widows:

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.

As in duty bound, your petitioners will ever pray.

The people who have signed this petition are all from Saskatoon, Mr. Speaker.

Mr. Hillson: — Thank you, Mr. Speaker. I present petitions today on the issue of highways in Saskatchewan. The prayer of relief reads as follows:

To call on federal and provincial governments to dedicate a significantly greater portion of fuel tax revenues toward road maintenance and construction so Saskatchewan residents have a safe highway system.

Your petitioners come from North Battleford, Livelong, Denholm, Battleford, and Cando.

Mr. Aldridge: — Thank you, Mr. Speaker. I too rise to present petitions on behalf of citizens that are concerned about the highway systems in this province. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to call on federal and provincial governments to dedicate a significantly greater portion of fuel tax revenues toward road maintenance and construction so Saskatchewan residents may have a safe

highway system that meets their needs.

As in duty bound, your petitioners will ever pray.

Those who signed these petitions, Mr. Speaker, come from, from all over this province.

Mr. McPherson: — Thank you, Mr. Speaker. I join with my colleagues here today and bring forward petitions. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to call upon the NDP government to provide funding in this budget to have the Swift Current Regional Hospital equipped and staffed as a specialty care hospital and to immediately provide funding for the purchase and operation of both imaging equipment and a renal dialysis centre.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, the people who have signed the petitions here are from Maple Creek, Swift Current, Kincaid, Gravelbourg, Shaunavon, Mankota, Ponteix, Cabri, Caronport, Kyle, and all throughout the southwest part of the province.

I so present.

Ms. Haverstock: — Thank you very much, Mr. Speaker. I rise once again on behalf of citizens of Saskatchewan who are concerned about the education of exceptional children. I'll read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to provide essential funding and ensure the delivery of scientifically proven, diagnostic assessment and programming for children with learning disabilities in order that they have an access to an education that meets their needs and allows them to reach their full potential.

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

Mr. Speaker, the people who have signed this petition today are from Christopher Lake, Waskesiu, Domremy, Saskatchewan, and Prince Albert.

And I present this petition on their behalf with pleasure.

READING AND RECEIVING PETITIONS

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

INTRODUCTION OF GUESTS

Ms. Draude: — Thank you, Mr. Speaker. To you and through you to all the members in the House I'd like to introduce a lady who is sitting in the Speaker's gallery, Donna Harpauer from Leroy. And she is going to be known as the next MLA (Member of the Legislative Assembly) for the Watrous area. So

will you please stand, Donna.

Hon. Members: Hear, hear!

Hon. Mr. Van Mulligen: — Thank you, Mr. Speaker. Mr. Speaker, it's my pleasure to introduce to you and through you to the members, a group of students who are seated in your gallery. They are here from the Balfour Special Tutorial program. And this is a group of 12 students who are in grade 12, Mr. Speaker, just so that there's no confusion. They're here today accompanied by their teacher Karen Scherle, here to observe the proceedings and to tour the building. And I look forward to a visit with them after all that. And I would ask all members to give them a warm welcome. Thank you.

Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Minister, I'd like to introduce three people seated in your gallery, neighbours from out near the farm: Zach Douglas and his two children — Matthew who is nine, and Sylvia who is six. If they would stand up and give a little wave. I'm sure all members will want to welcome them to the House.

Hon. Members: Hear, hear!

Ms. Murray: — Thank you very much, Mr. Speaker. It's always a pleasure for me to introduce through you, to my colleagues in the legislature, people seated in the Speaker's gallery. And today we have two very special guests seated in your gallery, Mr. Speaker. They are Mel and Evelyn Colhoun and they are here to keep an eye on a very special person, someone who is part of a special group for us in the Legislative Assembly, and that is one of our pages, Melanie Bratkoski. These are her grandparents. So we certainly say to all the pages, we appreciate all the work that you do for us and we know you'll all be on your very best behaviour today.

Please join me in extending them a warm welcome.

Hon. Members: Hear, hear!

Hon. Mr. Upshall: — Thank you, Mr. Speaker. Mr. Speaker, today I would like to introduce to you and through you to the members of the Assembly, four people seated in the west gallery. These four people are my mother and father, Herb and Mary Ann Upshall, my sister, Joan Korfman, and her daughter, my niece, Jodie Korfman.

I would like all members to wish them a big welcome to the Assembly today. Thank you.

Hon. Members: Hear, hear!

Mr. Bjornerud: — Thank you, Mr. Speaker. It's one of the few times that I agree with the Agriculture minister today, but I would like to join with him and welcome the Upshall family here today. The minister will be on his best behaviour seeing that you are here. So I'd ask the Assembly to welcome them here today.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Massacre at High School in Littleton, Colorado

Mr. Kowalsky: — Thank you, Mr. Speaker. In this Assembly we deliberate the laws of the province and the policies of the government of the day. Our tools are reason and rational argument based on the belief that dialogue is the best means of building civil human relationships.

It is hard, therefore, to respond in any meaningful way to the horror of yesterday's multiple murder at the high school in Colorado, an event without reason, a moment far beyond the ability of language to comprehend and explain. We can only express our sorrow and bewilderment that once again human nature shows itself to be terribly flawed.

We can — and we do — join with others across our nation and around the world in stating our sorrow at the senseless loss of so many young lives.

And in this Assembly on behalf of the people of Saskatchewan whom we represent, we can and we do offer our heartfelt condolences to the families and friends of the victims.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Krawetz: — Thank you very much, Mr. Speaker. Mr. Speaker, on behalf of the official opposition, I would of course like to join with the member from Prince Albert Carlton in expressing our profound sorrow and sympathy for the families of all the victims in yesterday's horrific events in Colorado.

The shootings in this school are simply beyond my comprehension, which I'm sure is true for all members. As a former school principal I can only imagine the emotions the teachers and the students in this school are feeling today.

We can be thankful that nothing like this has ever happened in Saskatchewan and we can only pray that it never will.

Mr. Speaker, schools not only in our country but around the world should be places of safety — sanctuaries for our youth — and we must work hard to ensure that they remain so.

Our prayers go out to the people of Littleton, Colorado today.

Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Hillson: — Mr. Speaker, rightly or wrongly, there is a strong perception that our society is increasingly falling victim to random and motiveless violence which can neither be anticipated nor guarded against. Yesterday it was students and teachers innocently slaughtered in Colorado as they went about their daily routine. Our thoughts and prayers are with those people.

But, in addition, we take note of the teachers and students of Saskatchewan who must be uneasy and disquieted today. We

appreciate all those involved in education both those on the giving and the receiving end. Our thoughts are with you on this difficult day.

Some Hon. Members: Hear, hear!

Saskatchewan's Credit Rating Upgraded

Mr. Thomson: — Thank you, Mr. Speaker. On the heels of the very successful and popular budget introduced by the Minister of Finance some weeks ago, I'm pleased to advise the House that the Canadian Bond Rating Service has seen fit to upgrade Saskatchewan's credit rating. The credit rating has been upgraded from A to A plus. As you know Saskatchewan . . . (inaudible interjection) . . . That's true.

Some Hon. Members: Hear, hear!

Mr. Thomson: — As you are aware, Mr. Speaker, Saskatchewan has a straight A credit rating already. The Canadian Bond Rating Service says that this is a result — the increase is a result — of the fiscal responsibility, balanced budgets, reduction in the level of tax core debt, and improved performance of our Crown corporations. Mr. Speaker, this is a sign that the government's four-year financial plan is working.

Some Hon. Members: Hear, hear!

Secretaries Day

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, today we say thank you to those in our offices who handle all of the mail, make travel arrangements, field tricky phone calls, and basically organize our lives. And I'm referring to Secretaries Day. The work done by our secretaries and constituency assistants is being recognized today during the Professional Secretaries Week.

Even though that work has changed dramatically in the past 46 years since the first Secretaries Day — instead of pouring coffee today's secretaries train staff, do research and serve our committees — they are an integral part of our workplace and everyone in this room will probably not function well without them.

Mr. Speaker, on behalf of the Saskatchewan Party caucus I would like to extend a sincere thank you to all secretaries and constituency assistants today on Secretaries Day.

Some Hon. Members: Hear, hear!

Ms. Stanger: — Thank you, Mr. Speaker. This week is proclaimed Professional Secretaries Week and today is Secretaries Day. During this week and particularly today, those of us fortunate enough to have support staff have the opportunity to express our appreciation in an appropriate way. For the assistance and companionship they give us throughout the whole year — thank you.

Our secretaries make us look good, sometimes even when we shouldn't. They allow us to take credit for mutual accomplishments and they never point fingers when we goof.

Now, Mr. Speaker, in previous tributes we have spoken of all the secretaries together when in fact they — just like you and I — are individuals. So I want to take this opportunity to name the individuals who make our caucus office a model of efficiency, courtesy, and productivity. They are alphabetically: Margaret Herman, Kjersten Hordern, Carrie Moldenhauer, Jannet Shanks, and Ann Thacyk.

Also, Mr. Speaker, our constituency assistants deserve their own day, but I will include by name in this tribute, Ellen Oddan and Loretta Long, my capable assistants, and also the assistants of all of our members of our caucus.

We don't say it often enough but we do value your work, your dedication, and your friendship.

Thank you, Mr. Speaker.

Canada Trust Scholarship

Mr. McPherson: — Thank you, Mr. Speaker. Today, I'd like to congratulate a young constituent of mine, Holly Lacelle, earning a \$50,000 scholarship from Canada Trust. More than 2,700 students applied for this scholarship and Holly was one of only 20 chosen to receive this honour.

Holly will also receive \$3,500 a year towards living expenses and is guaranteed an offer of summer employment at Canada Trust during her four-year degree program in biology with honours in molecular genetics. The scholarship is awarded on the basis of consistent concern, care, and contributions toward their home communities.

Holly is involved in the 4-H program, has revived her school newspaper, and started a writing club in her school. She also spends a great deal of time working with a student suffering from cerebral palsy. Holly lives in Cadillac and attends school in Ponteix.

All in all, Holly is a young Canadian to be proud of. Congratulations, Holly. We wish her every success in her future endeavours.

Some Hon. Members: Hear, hear!

Small Business Loans Association Program

Mr. Johnson: — Thank you, Mr. Speaker. Last weekend I had the privilege of presenting certificates of appreciation in four different communities in my constituency who have reached a milestone in terms of the number of jobs created or maintained through the Small Business Loans Association program.

The goal of the small business loans program is to help small businesses which at times may have difficulty obtaining loans from banks. The provincial government provides each association with an interest-free revolving line of credit.

The Glaslyn/Medstead Economic Development Corporation, since its inception in June of '93, has had an impact on more than 75 jobs in the community.

The Canwood Economic Development Corporation has helped

small businesses in that community create or maintain over 50 jobs. Mr. Speaker, this organization has provided loans to such diversity as seed-cleaning operations and plumbing businesses.

The Shell Lake Co-operative Lending Association has supported the creation of more than 50 part-time and full-time jobs. The Spiritwood Economic Development Corporation has approved 49 loans, helping small businesses to create 43 full-time jobs.

Mr. Speaker, I am proud of what the volunteers who run this program have been able to accomplish. Thank you.

Some Hon. Members: Hear, hear!

Visit to Minnesota Legislature

Mr. Heppner: — Thank you, Mr. Speaker. As you're well aware, a number of members from this particular House had the opportunity to visit the Minnesota legislature for a number of days. And we spent some time with the Senate and their House as well, a very informative time. And we'll inform members of this House of that next week.

We also had the opportunity to meet the Governor, Jesse Ventura, and for a fee I will let members from the opposite side touch my tie. Thank you.

Some Hon. Members: Hear, hear!

The Speaker: — Members' statements have elapsed. The hon. member appears to have used an exhibit in his statement, but as the removal of the exhibit would also disqualify him from remaining in the room, the Chair will look the other way this time.

ORAL QUESTIONS

Crown Corporation Profits

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, my questions this afternoon are for the minister responsible for CIC (Crown Investments Corporation of Saskatchewan).

Mr. Speaker, this afternoon is a big day for the minister. Today he announces how much money the NDP (New Democratic Party) family of Crown corporations sucked out of the pockets of Saskatchewan families over the past year.

In 1997 the total profit was \$221 million out of the five big gougers here in Saskatchewan — SaskPower, SaskEnergy, SaskTel, SGI (Saskatchewan Government Insurance), and the auto fund.

And in 1998 SaskTel, SaskEnergy, and the auto fund nailed every resident in this province with more rate hikes. So I would expect the NDP family of Crown corporations managed to even get more money extracted from the people of Saskatchewan over the past year.

Mr. Minister, what was the total profit of these five Crown corporations in the last year? How much more money did your family of Crown corporations take out of the families' pockets

of Saskatchewan?

Hon. Mr. Lingenfelter: — Mr. Speaker, I know what the member is getting at. Their policy is clear. Their leader, Mr. Hermanson, has said over and over again that it's his intent to sell SaskTel and the other Crowns. So I know what you're trying to do.

But I want to say to the member opposite, and particularly the member from Canora who was with me today for an announcement of a supplier contract in his hometown, where an employer contract with SaskPower, a company from that town, now employs nine people in large part serving SaskPower's needs; I say to the member opposite, when you were in government with the Devine administration and you were supporting . . . he was supporting Mr. Devine, and everyone knows where he comes from, as you were going to the Conservation conventions, you had an intent to sell off the assets of the Crowns, and you did. You sold off the coal mines, you sold off the gas fields, you sold off Saskoil. And the debt in the Crowns went from 3.2 billion to 5.4 billion in that period of time.

So we know what you're about — privatization. But I tell you, you won't get a chance because the people of Saskatchewan are up to your tricks.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Well, Mr. Minister, the Crown corporations that you like to talk about and how you like to run them as a business — well, Mr. Minister, the shareholders I've been talking to don't really like the way you've been running things. But there's a shareholders' meeting coming up real soon, and there's going to be some changes on the management side over there.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Mr. Minister, your NDP government's record of gouging Saskatchewan families through one rate hike after another — SaskPower, SaskEnergy, SaskTel — the rates just keep going up and up. That may be good for the NDP's bottom line but it hurts Saskatchewan families in this province, it hurts seniors on fixed incomes, it hurts the working poor.

Mr. Minister, why do you continue gouging the people of Saskatchewan through your family of Crown corporations?

Hon. Mr. Lingenfelter: — Mr. Speaker, the member speaks nonsense when he talks about gouging the customers. If he knows anything about the rates for auto insurance in Saskatchewan as compared to his Tory counterparts in Alberta or Manitoba, he will know that by far the lower auto rates are supplied by the men and women who run SGI — that's a fact.

I'll tell you what the member is really up to. He is up to the idea of continuing that old fine Devine tradition of selling off assets to their friends. That's what they're trying to arrange.

But I want to say about the shareholder meeting coming up, you're going to have to have more than 15 per cent support to be able to win that shareholders' meeting because 15 per cent

isn't going to do it.

Mr. Boyd: — Well, Mr. Minister, I'm sure you have opportunity to see the polls and you realize that you're dwindling down to that 15 per cent these days.

Mr. Minister, if you were really concerned about the rates here in Saskatchewan, you would do something about it. Your rate review process is a joke and everyone in the province knows it. It is rubber stamp — one rate increase after another allowing your NDP Crown corporations to gouge more and more money out of the taxpayers of Saskatchewan.

Mr. Minister, we need a real rate review process in this province and later today the Saskatchewan Party will introduce a Bill to create a real rate review process. Mr. Minister, will you commit to supporting the piece of legislation that I will be introducing later today?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, I remember being a member of opposition when your leader at that time, Mr. Devine, introduced a Public Utilities Review Commission called PURC. Right here. He sat at this desk and introduced it, and it cost a great deal of money. They didn't follow its advice.

And then you and your party members — because you used to go to the conventions — decided to get rid of it. Now today you say you're going to do another one.

What I say to the member opposite from Kindersley, I have a quote here from *The Press Review* in Eston, your hometown, that says: "Saskatchewan Party leadership candidate meets Kindersley constituent voters." And in the article it says, "Hermanson said that his government if elected should be allowed to sell off the Crown corporations on a selected basis." That's your policy.

I challenge you to go out to the people of Saskatchewan in the next few months and tell them what your plan is to sell off the Crowns. Tell them that, and I say to you, you will be soundly defeated again on that issue as you were in 1991.

Mr. Boyd: — Mr. Minister, you speak about remembering your days in opposition. I say to you, sir, you won't have much longer to wait till you're back there again. And it's because the people of Saskatchewan are tired of you and your family of Crown corporations going through their pockets every time you get a chance.

The ones that make profit in this province have a monopoly and charge Saskatchewan taxpayers whatever they want, Mr. Speaker. Of course that's the ones that make money.

But every time you pack a suitcase full of money and head off on one of your trips to gamble in some other part of the world, you lose millions of taxpayers' dollars: NST — \$16 million; Channel Lake — \$15 million; Guyana — \$3 million. Mr. Minister, at the end of 1997, SaskPower International lost \$2.6 million.

Mr. Minister, how much more money did SaskPower lose on its

foreign adventures in the last year?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, I want to say to the member opposite when he talks about the folly of privatization, I want to say that the most foolish decision by your government in the 1980s was to sell off the coal mines.

Now just think about this for a moment. You own power plants and you own coal. And the decision was made by your convention when you were a member of the Conservative Party to sell off the coal mines. We still own the power plants but we don't have any coal. And now we go to the private sector and ask them: what can we pay you for the coal? And then you have the audacity to say, why do the power rates go up, having sold off the coal mines?

Now everyone knows about the folly of the Tories in privatization. Here again, *Leader-Post*, November 17, 1997: "Constitution policy platform okayed for (your new party, the new Tory Party) . . ." and in it it says that: "privatize Crowns when it is in the public (or in your) interest."

I challenge you: which Crowns would you sell off? Which Crowns would you sell off?

Some Hon. Members: Hear, hear!

Memorandum of Understanding with Nurses

Ms. Draude: — Thank you, Mr. Speaker. My question is for the Premier. Mr. Premier, nurses across Saskatchewan are back at work this week thanks to an old NDP trick. It's called now you see it, now you don't.

It goes like this. First the NDP ignores the nurses for eight years while the government is busy destroying the health care system. And of course it's left to the nurses to hold that crumbling health system together. Finally, and the nurses can't stand the intolerable working conditions anymore so they strike. The NDP sucks the union into a memorandum of understanding, promising to take care of all their problems. The nurses go back to work and the government files the MOU (memorandum of understanding) — never to be seen again.

Mr. Premier, is that your strategy — to con the nurses' union into signing a meaningless agreement and then ignore them for another three years?

Hon. Mr. Romanow: — Mr. Speaker, I think that the use of the word — unless I misheard it and in case I apologize if I have — the use of the word "con" the nurses into signing a MOU — I believe the hon. member referred to — is really a slap in the face of the nurses' union, which union I have in my deliberations with them found to be very competent and very tough negotiators and far from being conned.

And the MOU has been signed. It's been signed by SAHO (Saskatchewan Association of Health Organizations) and it's been signed by SUN (Saskatchewan Union of Nurses). The government has witnessed it; it's our intention to do all that we can to get the parties — SAHO and SUN — to get the MOU

and everything that flows from that negotiated as quickly as possible. I think all parties want to do that; and if required to amend the legislation to reflect those agreements, we'll be introducing those too.

Some Hon. Members: Hear, hear!

Ms. Draude: — Mr. Premier, the people of Saskatchewan don't believe this government any more. The nurses don't trust you. Just ask them; they think they've been sold down the river just like you did to the social workers.

Last year when the social workers threatened to strike over their lousy working conditions, the NDP conned the union into signing another meaningless letter of understanding that promised to deal with the social workers' concerns. And you know what happened next? Nothing — not a thing. The NDP filed the letter of understanding in the nearest paper shredder. And when the social workers staged protests across the province, the Minister of Social Services passed it off as posturing for position.

Mr. Premier, is that your plan for the nurses as well?

Hon. Mr. Van Mulligen: — Thank you very much, Mr. Speaker. I'm very pleased to have the opportunity to address the member's question. I am very concerned, Mr. Speaker, as are all the people of Saskatchewan the fact that their leader, the Tory Party leader, Elwin Hermanson, has been running around Saskatchewan saying provincial government policies, provincial government policies were responsible for a rapid increase in social assistance caseloads.

The fact of the matter is, Mr. Speaker, the fact of the matter is, and any one external, any objective observer will tell you that these increases were clearly occasioned by federal off-loading. Either this Tory Party leader Elwin Hermanson is ignorant of the facts, which is quite surprising given all the time that he spent in Ottawa, or he is being deliberately deceitful, Mr. Speaker. Neither quality commends him to the people of Saskatchewan.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Ms. Draude: — Thank you, Mr. Speaker. That was a wonderful answer to a question I never asked. You conned the social workers into a phony agreement to shut them up before an election, and now you've done the same thing to nurses.

Mr. Premier, I'm looking at a letter sent by SGEU (Saskatchewan Government Employees Union) to the Social Services minister on behalf of social workers. It's dated December 2, 1998, and I want to read to you what the social workers think the purpose of your letter of understanding was. It said:

An often stated belief of our members is that the letter of understanding is merely a tool meant to keep Social Services employees quiet until after the next provincial election.

Mr. Premier, you conned the social workers last year and now you've conned the nurses this year with a memorandum of understanding designed to shut them up until after the next election.

Will you commit today to finalize the contract with the nurses that addresses all the parts of the MOU before the next election? Or is this just another phony political stunt to shut the nurses up before we go to the polls?

Hon. Mr. Romanow: — Mr. Speaker, I remain perplexed by the use of the word, conned, by the hon. member opposite there when she refers to the nurses. We have here a memorandum of understanding which has been duly signed and executed and witnessed by all the parties that are involved, which sets out the major issues to the resolution of the dispute. And the government's committed to helping all the parties negotiate that agreement.

And they are negotiating and they're going to get an agreement — I'm very confident of that — along the lines of the MOU and everything that flows naturally from that. This dispute is now over. Some hard bargaining is going to take place but the dispute is over.

What is it that urges the hon. member to say that the Saskatchewan Union of Nurses, for whom we have the highest regard and respect, were somehow, somehow conned, somehow conned?

Mr. Speaker, they signed, they signed the MOU freely and voluntarily. They signed . . .

The Speaker: — Order. Now hon. members will recognize the Premier is not located all that far from the Chair and the Chair is having difficulty being able to hear the answer being put. Order, order. I ask for the co-operation of all members of the House.

Hon. Mr. Romanow: — Well I'll just finish, Mr. Speaker, by saying that the nurses and SAHO signed the agreement, the MOU, freely and voluntarily, putting an end to this dispute, thankfully, with great relief for all of us regardless of ideology to all the people of the province of Saskatchewan. And I am convinced that they are determined to put this into a collective bargaining agreement as quickly as possible.

Some Hon. Members: Hear, hear!

Tuition Fee Increases

Mr. Hillson: — Well, Mr. Speaker, at the University of Regina it's a 7 per cent in tuition fees. The University of Saskatchewan? They're bracing for an expected 10 per cent increase tomorrow.

Yes, it's happening again. Year after year the NDP government has abandoned its responsibility for post-secondary education in Saskatchewan. Government spending on education is less today than when this government took office. Recent increases do not even come close to covering past cuts.

The truth of the matter is the NDP is mortgaging our children's

future. What the Tories did with hot tubs, the NDP is doing with neglect. The budget has been balanced by allowing the infrastructure of this province to crumble.

Mr. Speaker, we know where the NDP priorities are. It's in hiring communications officers and then launching expensive advertising campaigns.

Will the minister now intervene to ensure that students are not hit with huge tuition fee increases? Will he act to protect quality and affordable post-secondary education?

Hon. Mr. Romanow: — Mr. Speaker, the question that member asks of us today he very well should have asked a few years ago, in fact over the last four years when his Liberal Party federally under the CHST (Canada Health and Social Transfer) block transfer programs reduced spending for health care and education to the tune of \$6 billion — \$6 billion. And the only replenishment — I might say to the credit of the federal Liberal Party — has been 2.5 billion on health care with no replenishment to post-secondary education whatsoever.

This government's level of funding for both operating and commitment to capital we believe is adequate. But the other falsehood behind the member's question, assumption, is when he asks the question of the government, how will the government guarantee that such and such a thing should happen or should not happen with respect to tuition fees. In effect saying that the Government of Saskatchewan should step right in and say to the University of Regina board of governors or U of S (University of Saskatchewan) board of governors, you're going to do it our way or no way. That's not the way it's run. That's not the way the autonomy as universities are conducted.

Some Hon. Members: Hear, hear!

Mr. Hillson: — Mr. Speaker, post-secondary education is a provincial responsibility and those of us who weren't born yesterday remember that this Premier criticized the federal government in the budget of last year when they introduced the millennial scholarships and the new commitment to university education. Now he talks about the university board of governors. You can't use the board of governors like health district boards — as mud flaps and fertilizer deflectors.

Mr. Speaker, the new increases will mean that since this government took office, university tuition fees in this province have doubled. Mr. Speaker, the Liberals propose a \$1,000 scholarship to each and every first and second year post-secondary student in this province. This would help mean that affordable and quality education is available to the young people of Saskatchewan and ensure our future as a province . . . (inaudible interjection) . . . Well this is the priority of the Liberals. Our young people . . .

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

Mr. Hillson: — Will the Premier commit to quit hiding behind the skirts of the board of governors like he hides behind the skirts of district boards in health and say he will turn back tuition fee increases? Where are your priorities?

Hon. Mr. Romanow: — Mr. Speaker, today, Wednesday, April 21 — if that's the date — the number one priority of the Saskatchewan Liberal Party is education. Friday last, the number one priority of the Saskatchewan Liberal Party was health care. The Friday before that, the number one priority of the Liberal Party of Saskatchewan was highways. The Friday before that, the number one priority of the Liberal Party of the province of Saskatchewan was agriculture.

Here is the Liberal Party platform, Mr. Speaker. And the hon. member is correct about this. They've called for a \$1,000-per-year scholarship program — in fact they call for the following. They call for \$350 million in additional spending, for which they offset \$70 million in, they say, our savings, leaving a deficit of about \$250 million. And they do not have the courage or the ability or the gumption to tell us how they're going to make up the difference.

Mr. Speaker, the number one priority of the Liberal Party is to self-destruct itself in this province. That's their number one priority.

Some Hon. Members: Hear, hear!

Funding for Highway Maintenance

Mr. Aldridge: — Mr. Speaker, the road builders and heavy construction association have embarked on a postcard campaign in a desperate effort to draw attention to the fact that work on Saskatchewan highways is underfunded.

While the Minister of Highways says her department's budget is about 15.8 million more than it was last year, that doesn't translate into 15 million more of road construction and maintenance. In reality only about 7 million of the increase is budgeted for construction and maintenance, with only about 5 million of that going to that rural strategic initiatives fund. The rest, almost half, will be going to increases in administration, operations, development, and planning.

Mr. Speaker, does the minister expect that these administrators will fill the potholes with ad copy from the NDP's anti-nurse campaign? When it comes to highway budget increases, how can the minister justify leaving the Saskatchewan road builders and the motoring public with a half a tank of fuel while you're siphoning off the rest for pencil-pushers and flacks?

Hon. Mr. Upshall: — Well, Mr. Speaker, I understand that the Liberal Party's multiple number one priorities include roads, and it's the same thing. The fact that this member says \$7 million is going into administration is wrong, Mr. Speaker. Those facts are inaccurate. This government has put over 10 years, a plan in place to have \$2.5 billion a year spent on roads. We're moving to that and we'll hit that.

We are building roads in this province to the best of our ability within all the constraints. The member may not want to hear the answer, Mr. Speaker, but he's going to.

This province has put into road budgeting more money than we have before and we're continuing to increase that budget. You will look around, see the road plans, and you talk to the people who are building the roads. They know that they want more

money but this government has a plan in place. That plan is going to be put into action and at the best of our ability in terms of the dollars that we have at our disposal.

Some Hon. Members: Hear, hear!

Mr. Aldridge: — Well, Mr. Speaker, that government's promise of 2.5 billion to spend on roads over the next 10 years is as full of holes as this province's highways. Saskatchewan road builders welcomed the initial announcement and they got ready. They got equipped for more work. But the current reality is that this equipment now sits idle while you say that they're not ready to do the job.

Mr. Speaker, that government likes to blame a lot of the problems, all of their woes on highways, on the federal government and the lack of a national highways program. But on that account they're their own worst stumbling block as well. That's because such a program will in all likelihood involve federal/provincial cost-sharing if it's ever to proceed. When Saskatchewan road builders asked for a provincial commitment to a national program they got a big fat no from this government.

Madam Minister, will you change your tune? Will you back a national highways program involving provincial cost-sharing, or will you leave this idea to rust like so much of Saskatchewan's highway equipment?

Hon. Mr. Romanow: — Mr. Speaker, Mr. Speaker, the provincial premiers right across the country in the premiers' convention in Saskatoon in August last put as our number one priority health care. And I repeat again, to the credit of the Liberal government nationally with their re-entry into funding, we were able to make this an 11 per cent increase for health care, the largest expenditure health care budget in the history of the province of Saskatchewan.

But we also said in Saskatoon in August that we have other priorities as well, one of which is an infrastructure program to build up our highway system on a federal and provincial basis. And goodness knows Saskatchewan needs it as much if not more than any other province, given our highways system here.

The Minister of Highways has been working diligently, as the Minister of Agriculture has been, on a whole host of agriculture/transportation issues to try to get that infrastructure program set up. I am hopeful — I'll only go this far as I wrap up — I'm hopeful that Mr. Collenette, the federal Minister of Transport and the Liberal government, are looking at this united provincial-premiers, territorial-leaders call for more money.

If that program is announced by Ottawa, to the best of our ability, we will be there to assist our highways, our farmers, and the people of the province of Saskatchewan. But the move is Ottawa's.

Some Hon. Members: Hear, hear!

Learning Disabled Students

Ms. Haverstock: — Thank you very much, Mr. Speaker. Earlier in this session, Mr. Speaker, I submitted questions to the

Minister of Education to table research that proves that the educational interventions offered in the province to severely learning disabled children are indeed successful. I also asked the minister to provide documentation that the funding formula introduced in 1989 has served the educational needs of learning disabled children better than the old formula. And I am sorry to say today, Mr. Speaker, that the minister's responses have raised far more questions than answers.

My question to the Minister of Education this afternoon is this: since there were reviews in the 1980s, since there have been reviews in the 1990s, since there was review underway even today, if the reviews were accurate, why is there a need to do yet another one?

Hon. Mrs. Teichrob: — Mr. Chairman, I appreciate the member's question. And as she will know from her own former experience in the field of education for special needs children, that the dynamics of this part of our school population is constantly changing and we are constantly trying to do better in meeting their needs.

And so that would be . . . the purpose of the review is to make sure that our approach to these issues, these very important issues, is as thorough and as modern and in keeping with the needs of those children as possible, Mr. Speaker.

Some Hon. Members: Hear, hear!

Ms. Haverstock: — Mr. Speaker, we know that there are many, many young people throughout North America who are living a very difficult life. And they carry out actions that are inexplicable to us. Learning disabled children in this province have been found to be involved in more criminal elements, they are children who experience more mental health problems, not just learning difficulties. This is a very, very serious problem and we have not yet been addressing it in the province of Saskatchewan.

The parent group, Concerned Parents for Learning Disabled Children, were provided with all of the responses from the Minister of Education and they remain very, very perplexed, Mr. Speaker.

I wish today for the government to please give some hope to these families by telling them what they can expect in terms of a definitive policy for the very first time in a very long time from this government regarding the education of their learning disabled children.

Hon. Mrs. Teichrob: — Mr. Speaker, as the member will know these issues are very complex. And the school plays a important role in the lives of these children and students but it's also a responsibility of parents. There are issues like poverty that contribute to some of the problems.

We have made a special effort in the community schools to extend preschool programs, to access children — all children but particularly those with special needs — at an earlier age. And we are doing everything we can together with parents, community groups, through the schools to address the needs of these children in the most sensitive way possible, Mr. Speaker.

Some Hon. Members: Hear, hear!

INTRODUCTION OF BILLS

Bill No. 204 — The Saskatchewan Regulatory Reform Act

Ms. Draude: — I move first reading of Bill No. 204, The Saskatchewan Regulatory Reform Act.

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

Bill No. 220 — The Crown Corporation Rate Review Act, 1999

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, I move first reading of a Bill, Bill No. 220, The Crown Corporations Rate Review Act, 1999 be 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.

STATEMENT BY THE SPEAKER

Resignation of Member

The Speaker: — Hon. members, before proceeding to the orders of the day, the Chair has a matter he wishes to bring to the attention of the members.

Earlier this day I met with the hon. member for Cypress Hills, and at the meeting that I had with the hon. member he asked that I would communicate to you this message:

To the Speaker and Legislative Assembly of Saskatchewan:

Two years ago I was charged with a criminal offence. At the time I maintained that I was innocent as I do today. I assure the Assembly that while my trial is not over or concluded that I will continue to use every legal means available to clear my name in the future.

I do recognize that there will be and has been embarrassment for the Assembly. For that I am deeply remorseful.

The reason for my resignation is out of respect for the institution. I therefore resign my seat for the Cypress Hills constituency effective immediately. Signed, Jack Goohsen.

And, hon. members, I will direct that all items in the name of the member for Cypress Hills will be dropped from the order paper.

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 22 — The Special Payment (Dependent Spouses) Act

Hon. Ms. Crofford: — Thank you, Mr. Speaker. I rise today to move second reading of Bill No. 22, The Special Payment (Dependent Spouses) Act, and I will so move following my remarks.

Mr. Speaker, I think it's important that I outline for the hon. members some of the history, some of the difficulties that the government faced in making the decision that led to the introduction of this Bill. In order to fully understand this issue it's important to review some history.

Section 15 of the Canadian Charter of Rights and Freedoms came into force on April 17, 1985 and this particular section of the Charter forbids discrimination in a number of areas, including marital status.

Prior to that date spousal benefits to spouses of workers killed while on the job were terminated if the spouse remarried or entered into a common-law relationship. And this was the case across Canada and was in keeping with the law of the land at the time.

And section 15 changed all that. As of April 17, 1985 it was contrary to the Charter to discriminate in this way. Saskatchewan acted relatively quickly to bring its legislation, including its workers' compensation laws into line with the Charter. And we amended our workers' compensation law to comply with the Charter on September 1, 1985.

So, Mr. Speaker, the enactment of section 15 and the subsequent change to our workers' compensation laws meant we had to consider two groups of people when we were deciding what to do about this issue.

The first group who had been collecting spousal benefits under our workers' compensation system and who remarried or entered into a common-law relationship prior to the date of enactment, April 17, 1985. And secondly, there was a number of people who were affected by the lapse between the coming into force of section 15 and the amendment to our Workers' Compensation Act. They had remarried or entered into a common-law relationship after section 15 was law but before our Act had been changed.

Mr. Speaker, a regulation under The Workers' Compensation Act has been enacted to authorize the Workers' Compensation Board to reinstate the future benefits of the six women who had their WCB (Workers' Compensation Board) spousal benefits terminated in the time period between the enactment of section 15 and the change to the Saskatchewan Workers' Compensation Act — in other words between April 17 and September 1, 1985.

They will begin receiving their benefits as soon as Workers' Compensation Board has completed its calculation of their benefit levels.

As I've already stated, it was the law of the land at that time for workers' compensation and other benefits such as spousal pension benefits to be terminated upon remarriage. Now this is what had occurred with both of the groups of people I'd just mentioned. Although it's important to note that although their spousal benefits were terminated, many of them continued to receive benefits for their dependent children.

But, Mr. Speaker, the Government of Saskatchewan is concerned about the well-being of the people who had their workers' compensation spousal benefits terminated when they remarried or entered a common-law relationship. Many of them are now elderly or in difficult financial situations, and we feel it's important to do what we can to help them.

The Bill we have before us today will authorize the Workers' Compensation Board to make a one-time, non-taxable payment of 80,000 available upon application to each of the approximately 272 people who had their benefits terminated prior to September 1, 1985. And this includes the six women who are having their future benefits reinstated.

I understand that WCB will conduct an advertising campaign, and will ask the Disenfranchised Widows Action Group of Saskatchewan to help notify potential recipients so as to ensure that no one is overlooked.

These payments will total approximately 23 million which includes 1.2 for reinstatement of the benefits to the six women and 21.8 for the one-time payment. These payments are not expected to result in any increase in workers' compensation premiums to employers.

Mr. Speaker, I want to stress that it's not necessary for the people who we are talking about today to belong to any organization or to employ a lawyer to apply for the special one-time payment of 80,000. The steps they have to take to obtain this payment are as follows: they must first provide the Workers' Compensation Board with proof of their eligibility; and second, sign a release.

However, I think it's important to note that anyone who is involved in legal action against the government regarding this issue at the time they make their application, will not be eligible for the payment. Eligible applicants will receive the payment once the Bill before us has received Royal Assent and the Workers' Compensation Board has processed their application.

I'm pleased to be able to inform the Assembly that as of this week, a total of 55 people have informed the WCB (Workers' Compensation Board) of their intent to apply for the payment.

Mr. Speaker, the government devoted a great deal of attention to the deliberation of this issue, and I must say it hasn't been easy. There are a great many financial obligations which must be balanced by any fair-minded government. This issue is also complicated by the fact that it involved a constitutional document as well as provincial legislation.

We had to take into account the effect of our actions on the business community which funds our workers' compensation program through employer-paid premiums. We had to consider the needs of any future claimants on the workers' compensation system, and we had to take into account the overall public interest of the province of Saskatchewan.

As I said earlier, although we are not going back in time, what we can do is to take the steps I've outlined here today. We can reinstate future benefits for the women who had their benefits terminated between April 17 and September 1, 1985; and we can offer a one-time tax-free payment of 80,000 to all the

people who had their Saskatchewan workers' compensation spousal benefits terminated when they remarried or entered into a common-law relationship.

In short, we can and will do what we can to help. And I believe these steps we have taken will help and I think we have struck the correct balance among the needs of the widows and widowers whose benefits were terminated, the needs of future WCB claimants, the needs of the business community which funds the program, and the needs of Saskatchewan people as a whole.

So, Mr. Speaker, it's my pleasure to move second reading of Bill No. 22, The Special Payment (Dependent Spouses) Act.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Thank you, Mr. Speaker. Mr. Speaker, I think this is an important day for a very small group of people in this province — the disenfranchised widows.

And they have certainly brought their issue forward to the attention of the people of this province and to the attention of the government. And the government's response has been to present this Bill today which would award all of the disenfranchised widows who did not receive their spouses' pensions after they remarried, from Workers' Compensation Board, they're going to compensate them to the sum of \$80,000, Mr. Speaker.

This goes back now in Saskatchewan, 14 years since the date that the legislation was changed to allow a spouse whose spouse had died and who remarried to carry on with their pension, Mr. Speaker. And this came about, as the minister stated, because of a Supreme Court decision under charter . . . of the 15th clause of the Canadian Charter of Rights and Freedoms, Mr. Speaker.

(1430)

At that time, no consideration was given to those spouses who had lost their pensions previously because there was no legislation in place. It was only those that were going onwards from that point that would continue to carry that pension.

But there was six widows, Mr. Speaker — and we're talking mainly widows here; there may be one or two men involved, I'm not sure, but in general it's women and widows, Mr. Speaker, that we're talking about — six widows from the time the court decision came down to the time the legislation was presented to this Assembly and passed; there was six widows that fell into that group. They were retroactively compensated and carried on with their pensions, Mr. Speaker.

But there was a considerable number of other widows, Mr. Speaker, across this province who had been disenfranchised of those pensions prior to the Supreme Court decision. And those widows today, Mr. Speaker, have pressured the government and are asking for considerations, not back to the time that they initially lost their pensions, their spouses' pensions, to Workers' Compensation Board, but back to the date the legislation was passed here in Saskatchewan.

This took place . . . The reason that this was necessitated was

because of the Supreme Court decision, but also a decision in British Columbia where the widows in that province went to court and the courts awarded them damages and the return of their pensions and compensation from the date that the legislation passed in British Columbia until that day that the court decided, and they carried on with their pensions.

Mr. Speaker, in Saskatchewan the courts have not yet been asked to rule on this. But other provinces, namely in Ontario, in Nova Scotia, in Alberta, and I believe it's occurring in Manitoba — I'm not exactly sure just where it is in the process — but those provinces went ahead and provided compensation without the necessity to go to court. Only in British Columbia so far has there been a necessity to go through the court system to achieve some grievance . . . or redress of grievance, Mr. Speaker.

But here in Saskatchewan, the government is recognizing that there is some substantialness to the claim; that they have to respond. And they're responding by providing \$80,000 across the board, Mr. Speaker, to those widows that have lost their pensions. And it's without regard, Mr. Speaker, to what size that pension may have been, or to the demands that were being placed on those widows at that time when they lost those pensions, Mr. Speaker. It's one size fits all, Mr. Speaker.

And a good number of the disenfranchised widows do not feel that one size does indeed fit all and they believe that the compensation should be paid back to April 17, 1985 and that their pensions should be reinstated. For someone who is quite elderly, as the minister stated, the \$80,000 may be more than sufficient for them.

But some of these widows, Mr. Speaker, are still fairly young. They have a long life ahead of them and the \$80,000 compensation is not anywhere near what they would receive if the pensions were reinstated, Mr. Speaker.

Therefore I think it's incumbent on this government to revisit what they're doing and to indeed provide compensation and reinstatement of those pensions. If the government was to say they would provide \$80,000 today and reinstatement of these pensions, perhaps some of the widows would be interested in that. I don't know. But I think, Mr. Speaker, there are very few of the widows that are interested today in simply the \$80,000.

One of the things that the government is doing in this Act though, Mr. Speaker, is saying you either take the \$80,000 or you take your chances in court — one or the other. We believe, Mr. Speaker, that there should be some consideration given to allowing the courts to make the decision in Saskatchewan to determine what would indeed be fair compensation.

And it's not unusual, it's especially not unusual, Mr. Speaker, when you're dealing with an NDP government that things are done retroactively. And the fact is, Mr. Speaker, there are Bills before this Assembly that deem things to have happened as much as 50 years ago. We're going back as much as 50 years in making corrections and changes to legislation to provide assurances, not for the individuals of this province and not for protection of the individuals of this province, Mr. Speaker, but rather for the protection of this government. We're going back 50 years, Mr. Speaker, to provide protection for the

government.

So I think in this particular Bill, in this particular case with the disenfranchised widows, that it would not be that onerous, Mr. Speaker, if the government was to give consideration to going back the 14 years. Failing to go back the 14 years, they should absolutely reconsider the reinstatement of those pensions for those widows, Mr. Speaker.

I know that there are other members in this Assembly who wish to address this issue, and I will give them that opportunity. And we look forward, Mr. Speaker, to debating and discussing this Bill while it's in Committee of the Whole.

Thank you very much, Mr. Speaker.

Mr. Hillson: — Thank you, Mr. Speaker. I congratulate and thank the Minister of Labour for putting this piece of legislation before us. I do have some problems with specific items in the legislation, but nonetheless I congratulate the government and the minister for finally dealing with a long, outstanding injustice in our province.

I think we would also be remiss as a House if we did not all recognize — members from all sides of this House — that the reason this matter is before the public agenda is largely due to the efforts of the member for Saskatoon Greystone; that she is the one who took up the fight on behalf of the disenfranchised widows. She is the one who brought it to public attention and the attention of this House, and I think that she deserves the credit of both government and opposition members for having put this serious item on the public agenda.

I think this is also a time for us to honour those women whose men were killed on the work site, and the widows, in many cases with young children, were forced to carry on in very difficult financial and emotional situations. And this is an attempt to give some recognition to them and some measure of honour to them.

However, having said that, Mr. Speaker, I do have to register two items which I do not like about the legislation. And the first — and we will take this up again in Committee of the Whole — but the first is section 4, which provides that if any widow takes this matter to court contesting that the compensation offered is not adequate and she is entitled to more, she becomes disentitled to share in this payment.

Now, Mr. Speaker, as I understand it, the position of the government and of the minister is that this is a social payment; that there is in fact no legal obligation to these people. Well the widows of course obviously disagree. They believe that they do have a lawful claim. I express no view on that. It will be litigated in due course and we will hear from our courts as to whether there is or is not a lawful claim here.

But I put this to you, Mr. Speaker. Is it not illogical for the government on the one hand to say, we do not accept that there is a lawful claim here, we are doing this as an *ex gratia* payment only for which there is no legal obligation. However, anyone who disagrees with us and attempts to gain a legal judgment will be disentitled to their share of the fund?

Surely it would be more fair, Mr. Speaker, if the government said that in the event this matter is taken to court by any of the widows involved, the \$80,000 to which they are entitled will be deducted from any judgment they receive. So that for example if the widow receives a judgement of 160,000, that would be 160,000 in total including the 80,000 included in this legislation.

But, Mr. Speaker, I submit it is heaping injustice on injustice to say that if a widow attempts to take this to court and ultimately fails, she gets nothing either from the court action or from the \$80,000 offer being made in this legislation.

So I really ask the government to reconsider section 4. It looks vindictive and punitive to say that if a widow dares go near a court, she will be disentitled. I respectfully submit that sends out the wrong message. It still continues to look heavy-handed when the government is attempting to look compassionate on this group of women.

I do have one other question concerning the legislation and that is the issue of who pays. The government takes the position that this is a social payment without legal obligation. Now if that is the case, if we are making this payment for public policy reasons, then is it fair that the payment ought to be borne by present-day employers in the province.

It seems to me that is illogical. If this is a payment being made for public policy reasons, then it is the public which ought to bear that responsibility than present-day employers through the Workers' Compensation fund.

The government tells us this is a social payment; it is not an attempt to avoid a court judgment. If that is the case, then I respectfully submit that as a social payment it falls in much the same category as payments that the federal government has had to make for students in residential schools of a generation or two ago and the Japanese internment cases.

These were government actions made at the time which in light of second thoughts and later generations came to believe was wrong. And we came to believe that some compensation was owed as a matter of social policy. So all of the people of Canada have had to participate in that payment.

However here, Mr. Speaker, the government on the one hand says we are making a social payment for reasons of charity and consideration, not for reasons of legal liability. And yet we are going to charge this payment against present-day employers. They are the ones who will make the payment — nobody else. That seems to me illogical and unfair.

So, Mr. Speaker, with those two reservations, I will allow other members to join in this debate.

I want to say that I'm pleased to see this on the public agenda. I hope all members will join with me in acknowledging that this legislation is before us today largely due to the efforts of the disenfranchised widows themselves and of the efforts to the member for Saskatoon Greystone.

But I do urge the Minister of Labour to look again at the issue as to whether if a widow dares to litigate this matter, she will be

automatically disqualified and disentitled for participating in this payment.

Thank you, Mr. Speaker.

Ms. Haverstock: — Thank you very much, Mr. Speaker. It's a great day for me to be able to rise and respond to second reading of this Bill.

And I have but a few words to say and I want to begin by talking about some facts. One fact is that the majority of the people who are most affected are women. And many of us who are women often wonder if in fact this problem would have existed for as long as it has existed if it had been genderless.

Many of the widows — and I'll call them widows rather than grouping them in with widowers — had children who had to live without the guidance of two parents for all of their lives. These families have often lived in poverty or with great, great challenges financially. And now many of these women are elderly — some are not — and some are in poor health.

It's most understandable, and in fact it was laudable and it was healthy, that some of these widows were able to love again and commit again after suffering such pain and loss in their lives. And it does seem incomprehensible to those of us who really reflect on this situation that those who did remarry were punished by having their pensions ceased.

It was a great privilege for me to bring this issue into the legislature and I was very, very honoured to be able to meet so many women who are courageous people and to get them . . . to know them just a bit.

(1445)

I must say it was very frustrating in this Assembly initially to try to deal with this matter when there seemed to be no political will at all to address it seriously. In fact some of the things that occurred initially were not only frustrating but they seemed to negate the importance of the circumstances of so many of these people who have endured so much.

But the shade began to lift and the light began to shine through when the new Minister of Labour was appointed. And I do believe that that should be clearly stated in this Assembly.

The Minister of Labour has demonstrated a determination to see this through where there was no determination before. There was a determination for her to steer this through Cabinet, to clearly have people understand the seriousness, the severity of this injustice. And without the support of some of her colleagues in caucus, I know that she wouldn't have had the support to have the entire government finally endorse some package for these people.

Now it would be great if we lived in a perfect world. But we do not. And would I have preferred for the widows to have received exactly what they wished? Of course I would. I would wish perfection on everything if I could.

But my wishes aren't going to make things come true. It was not, never will be, a perfect world. And retrospective justice is

very, very difficult to attach a sum to.

Even though I sit on this side of the House, even though I'm not a member of government, I came here to be part of good governance. And good governance to me means, Mr. Speaker, that I need to look across the piece, not just simply see the circumstances facing this particular group of people who deserve recognition, support, and a sense of a fair and more just world, but to look at it in the context of government overall, and governance overall.

And when I met with the Minister of Labour, when I looked at this from the legal considerations, from the Charter considerations, and most importantly on the considerations of the grounds of compassion, I understood the differences between why there were certain settlements in British Columbia as there were, why there were different settlements in New Brunswick and other places that are transpiring now. The fact that there were things done in the province of Saskatchewan legally, in this very Assembly, that changed the reality for the province of Saskatchewan and the widows here.

But equally importantly for me, Mr. Speaker, the surplus in the Workers' Compensation fund is something that isn't only to be earmarked to meet this particular case. There are other people and other circumstances that have claim on those dollars as well. And as much as people would like to have more, it is more important to me that some sense of fairness prevail and that something transpire that gives support to these widows.

As well, good governance means that one has to look at all of the other conflicting demands across our province. And I think that the stand that's been taken, a stand that says a wrong was done and here's an opportunity to try to rectify some wrong, is a very important message to be sending out.

I reiterate that it would be great if in the best of all possible worlds that people could be compensated for such tremendous tragedy and some pretty significant injustice. But it's not a perfect world. And I this day wish to say to the widows that had it not been for their determination, had it not been for their continued courage, had it not been for their willingness to fight for something that they truly believed was important, this would not be transpiring. And we have to add to that, that there is a Minister of Labour who was an individual with the intelligence, the compassion, and really the commitment to look to the plight of these women and say that, regardless of what is not there in terms of support, she was going to make sure that this was going to come to fruition.

So I would like this very day to say thank you to the disenfranchised widows, to those who have subsequently called me who are not part of the organization, to the Minister of Labour, to the government for thankfully bringing something forward and finally bringing something forward for these individuals.

And as well I would like to say to all members of the Assembly, who I hope will give a strong endorsement for this today, a thank you to them as well, because initially I don't think most of us understood the gravity of what had transpired over these many, many years.

And with those comments, Mr. Speaker, I would simply like to adjourn debate.

Debate adjourned.

ADJOURNED DEBATES

MOTIONS

Suspension of Member

Hon. Ms. MacKinnon: — Mr. Speaker, I request leave to withdraw this motion.

The Speaker: — Leave is granted and the motion is dropped.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 27

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Nilson that **Bill No. 27 — The Queen's Bench Amendment Act, 1999** be now read a second time.

Ms. Julé: — Thank you, Mr. Speaker. Bill 27 and Bill 28 deal with essentially the same matter, so I'll make comments on both of those Bills in a single statement.

These Bills are probably among the most important we've seen this session. Because without their passage the provincial government could well find itself in a severe financial crunch.

Mr. Speaker, both of these Bills stem from a decision made last fall by the Supreme Court of Canada. In that decision the court ruled that governments did not have the right to simply levy probate charges as service fees set out by regulations. Because they are charges levied by government where there is no discernible service being given, the Supreme Court ruled these probate fees to be taxes, not service fees. And because these are in fact taxes they cannot be brought in through simple regulation. They have to be legislated through statute like any other tax that the government charges.

With this decision, coming down because of a situation in Ontario, obviously this could be used as a precedent in all other provinces. And for that reason each province, I understand, will enact legislation very similar so they can continue charging these fees as a full-fledged tax.

Mr. Speaker, at the time of its decision the Supreme Court gave the provinces until April 22, which is tomorrow, to enact legislation to make these fees legal in the eyes of the court. As we speak, Ontario, New Brunswick, and Newfoundland have already passed this legislation.

On the bright side, Mr. Speaker, this Bill does something we don't see all that often from this NDP government. It actually takes something from regulations and puts it into legislation. This is a break in the NDP trend to move as much authority as possible out of this Assembly and into the hands of the cabinet,

in an attempt to make as many decisions as possible behind closed doors and away from the scrutiny of the public, the press, and opposition members. So we see a brief reprieve from that trend.

It's a shame though, Mr. Speaker, that it took a Supreme Court ruling to make this NDP government see the value in debating changes on the floor of this Assembly, which is what we are all elected to do.

There is no doubt that with the majority that the government of the day has, this Bill will pass. And with the dollar figures we're talking about which government has charged dating back over the past 50 years, it is probably essential that we do pass this legislation to avoid making the government liable to refund a staggering amount of money.

Mr. Speaker, these fees currently generate about \$3 million a year for the government. Spread out over 50 years you can get some sense of the amount of money that we're dealing with here.

However I don't think that we can simply ignore what we're doing with the passage of this legislation. I don't think anyone in this legislature should feel all that comfortable with what we're doing here no matter how practically necessary it may seem to the government of the day.

We're basically acknowledging that what has gone on for decades in this province has been illegal and against the rights of those who have been forced to pay these probate fees. To be fair, the current government did not set up this situation, but it certainly fostered it, like all other governments for the past 50 years in most other provinces. And with this Bill, coming as it did on the heels of the Supreme Court ruling, we're acknowledging that we are charging this amount of money where absolutely no service has been rendered.

In essence what the government is doing here is imposing an estate tax, Mr. Speaker, and we should not think of these two Bills as anything but what they are. This is a tax on death. Someone once said that there are only two definites in this world — death and taxes — and this combines them.

I think if we are to have an estate tax, Mr. Speaker, in this province, we should call it just that rather than disguising a tax as a fee. Anyone who has been through a probate situation knows full well that very little if anything in the way of actual service is provided by the government when they levy their fees. This has been judged unfair by the court and these fees have been recognized for what they are — a tax.

Mr. Speaker, one of the key components of these Bills is the deeming clause — something we've seen this government bring forward several times before. Essentially what this clause does, Mr. Speaker, is to rewrite the history of the last five years, at least as it applies to these probate fees, which with the passage of this Bill are better identified as estate taxes as I mentioned earlier.

We see in this Bill a clause that states that yes, what we've been doing for the last 50 years as it relates to probate fees has been wrong and in fact illegal. But despite that, we have the power in

this Assembly to simply pass a law stating that none of that ever happened and therefore the government never broke the law.

And while the government feels it has no choice in this instance given the ramifications and the amount of money involved with this decision by the Supreme Court, I don't think we should forget that this isn't the first time the NDP government has used this rather heavy-handed tactic. This is the third time that I can recall that the current government has used such a deeming provision to rewrite history.

Of course, Mr. Speaker, we all remember the famous — or I should say infamous — circumstances surrounding the government's decision to scrap the gross revenue insurance program. I think we all remember that, Mr. Speaker, because it wasn't this government's finest hour. They had missed giving the farmers the required notice but no problem, the NDP simply passed legislation stating that in fact they had given the proper notice.

And then, Mr. Speaker, we have the cases of the judges. The Assembly passed legislation requiring an independent panel to set the salaries of provincial judges. This legislation also stated that this independent panel's decision would be binding. So when the panel came back with a decision the NDP did not like, what happened? What happened to this so-called binding decision of this so-called independent panel? Well the government simply passed subsequent legislation stating that the panel never existed — never existed, Mr. Speaker.

For many in Saskatchewan this kind of retroactive legislation, this kind of rewriting of history, is the cause of much discontent. It basically tells the people that the government has the power and the authority to pass almost any kind of legislation in this Assembly despite what has come before it. It is probably the most heavy-handed way to govern, Mr. Speaker, and no one should take comfort in this type of legislation.

Another of my concerns, Mr. Speaker, is what's going to come at us down the road as a result of this Supreme Court ruling. While this dealt solely with probate fees, as we all know there are many dozens of government fees on the books — many of which are far out of line with the cost incurred by the government to perform this service.

(1500)

One such example that comes to mind is the fees charged by the Land Titles Office, Mr. Speaker. Quite often a simple transfer of ownership will cost hundreds of dollars and no one can tell me that this fee is anywhere near what it actually costs the government to provide that service. No, this is simply another example of government taxing people heavily for a transfer of title, charging them whatever they want.

Like the probate fees, Mr. Speaker, land titles is another profit centre for government, Mr. Speaker. And I question whether the province is going to find itself in a similar situation of having to pass retroactive legislation because one day the court will decide that these charges, too, are not service fees, but rather taxes, plain and simple.

Mr. Speaker, those are just some of my initial comments on

Bills 26 and 27. I understand that the government will be asking for leave to deal with these Bills in committee today. And if we do get to proceed today, I'll bring these concerns into question at that time. Thank you, Mr. Speaker.

The Speaker: — The Minister of Justice indicates that he wishes to exercise his right to conclude debate. It is the responsibility of the Chair to advise all hon. members that if they wish to enter into debate that they must do so now. If not, then I recognize the Minister of Justice.

Hon. Mr. Nilson: — Thank you, Mr. Speaker. Just briefly I would like to close debate by clarifying one simple point. That simple point that this procedure related to probate, letters probate or letters of administration, is a procedure that protects executors, creditors, beneficiaries — many, many people. And for the hon. member to say that this fee is not paying for a service or not paying for something that happens, I think shows a lack of understanding of how the law works. And what's extremely important here is that these fees are charged on the basis of the kind of protection that's provided to the public.

So I just didn't want to leave the impression that the member has raised that these kinds of fees are related to something that has no purpose. They serve great purpose for the orderly payment of debts in our province. And with that I close debate.

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

Bill No. 28

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Nilson that **Bill No. 28 — The Administration of Estates Amendment Act, 1999/Loi de 1999 modifiant la Loi sur l'administration des successions** be now read a second time.

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

COMMITTEE OF THE WHOLE

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

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

Hon. Mr. Nilson: — Thank you, Mr. Chair. I'm pleased to have with me today Susan Amrud from Department of Justice, legislative services branch; and also Jan Kernaghan who is the registrar of the Court of Queen's Bench and of Provincial Court.

Clause 1

Ms. Julé: — Thank you, Mr. Chair, and good afternoon, Mr. Minister, and good afternoon to your officials. Mr. Minister, before I proceed with any questions I would like to comment on your statement to me earlier in the House today about the lack of understanding of what this legislation is about.

Mr. Minister, I think that it was quite clear in my speech that I understand clearly that a fee is being charged for probate, but because the fee being charged is much in excess of what the services can possibly cost, that is the point we're making. We're making a point that this is taxation. And the very fact that you're bringing forth legislation is, in effect, telling everyone in this Legislative Assembly and the province that it is a tax. So I just needed to make that comment because that's exactly what it seems to be is happening here.

Mr. Minister, as I understand it, the Supreme Court in this matter basically ruled that as government you do not have the right to simply charge probate fees; that they are no relationship to what it actually costs to issue letters of probate. Is that essentially correct?

Hon. Mr. Nilson: — Thank you for that question. I think it's important that I briefly explain what the purpose of letters probate or letters of administration are for.

When an application for letters probate or letters of administration is filed with the court, it's not simply rubber stamped by the clerk. The documents are received and recorded; a notice is prepared by the clerk and forwarded to the registrar of courts. The registrar searches the records and prepares a certificate stating whether there is a caveat filed against the estate or whether any other applications for probate have been filed.

On receipt of the certificate the clerk reviews the materials filed to ensure they are complete. The materials are then reviewed by a judge to ensure that the acted rules have been complied with to determine that the person making the application is entitled to make the application; that the appropriate bond has been filed; that the will is properly executed and that children's interests are properly protected.

Letters probate or letters of administration provide proof to anyone the executor or administrator deals with that the executor or administrator has authority to deal with the property of the estate. An executor, being the person named by the deceased in his or her will, has authority to act immediately after the death.

With careful estate planning it will often be possible for an executor to administer an estate without first obtaining letters probate. If there is no will, the situation is much more complicated. No one has authority to act until the court has determined the proper person to act, and issues letters of . . . issued letters of administration.

Letters of administration protect people dealing with the administrator. For example, a person who wishes to buy land owned by the deceased or a car owned by the deceased can safely pay the money over and know that he or she will receive the property purchased. If a bank or credit union pays out money to a person who claims to be entitled to the money but has no letters probate or letters of administration, they are taking a risk. If they were misled and paid it to the wrong person, they will have to pay it again to the right person.

Letters probate and letters of administration are court orders that protect the property of someone who is not here to protect

that property themselves, that is the deceased.

The fees that are charged in this particular situation are related to the value of the property because the greater the value of the property, the greater the chance is that there may be some problem if it's not dealt with properly. These fees have been charged since before Saskatchewan was a province. They were set out as they are in the present regulations in 1942. And we are now, in response to some of the questions raised by the Supreme Court of Canada, clarifying and setting out exactly the same fees in the law. Thanks.

Ms. Julé: — Thank you, Mr. Chair. Mr. Minister, with this legislation you will charge \$7 on every \$1,000 of estate assets. Is that a change in the current rate?

Hon. Mr. Nilson: — No. It's been that amount since 1994. Before that it was \$6.

Ms. Julé: — Can you tell me how the government settled on \$7 per 1,000 as an appropriate fee?

Hon. Mr. Nilson: — The fee was raised from \$6 to \$7 after it had been \$6 for many, many years. It's based on comparisons with what's charged in other provinces. I think Alberta and Saskatchewan have virtually the same fees, and they are the lowest in the country.

Ms. Julé: — Mr. Minister, can you tell us what it actually costs the government to issue letters of probate?

Hon. Mr. Nilson: — That's quite a difficult question to answer because if it's a case that involves many, many pieces of property and very many complex issues, it could be that a single case could cost thousands and thousands of dollars.

Otherwise in a normal case, if you added in all of the clerk's time, the court time, the court space, the . . . you know, heat, light, all those things, I don't think it would be possible to set an exact amount but I'm sure that would be clearly in the hundreds, maybe to a thousand dollars for each one.

Ms. Julé: — I'm sorry, Mr. Minister. If you could just repeat your last statement. It would be in the area of what? Or the range of what?

Hon. Mr. Nilson: — It would be in the range of hundreds to a thousand dollars, somewhere in that range.

But the difficulty in answering your question is that what may appear to be a simple estate — for example if we have some mineral rights that were in a title and ostensibly the value of that might be a dollar an acre for a quarter, so you have a hundred and sixty dollar asset — but there may be some possibility that an oil company might want to pay for a lease on that particular property and then you end up with some dispute over the ownership involved in that particular case.

It could be that the amount of court time and judge's time and everything else to sort out the final ownership around the documents that are brought forward to prove who should get letters of administration — that's a situation where you have an asset that might only be a hundred and sixty dollars on the face

of it — that could cost tens and twenties, thirty, forty, fifty thousand dollars to the government and the system.

(1515)

Ms. Julé: — Thank you, Mr. Minister. Mr. Minister, last year the government took in about \$3 million in probate fees. And I'm sure that that is recorded; otherwise we wouldn't know that amount.

Also I would imagine that it would be recorded and documented about what cost the government incurred in providing the letters of probate last year. Do you have that sum of money?

Hon. Mr. Nilson: — Your figure is accurate — about \$3 million. This is all incorporated into the Court of Queen's Bench. We don't break it down based on each particular procedure that's done in the Court of Queen's Bench. So it could include a three- or four-week criminal trial or it could include a civil trial. All of those costs are all put together in the budget for the Court of Queen's Bench.

Ms. Julé: — So there's no written documentation of how much these specific costs were?

Hon. Mr. Nilson: — No. As you may understand, the Court of Queen's Bench deals with all of the legislation that we have, and they don't break it down as to which particular procedure costs how much.

Ms. Julé: — Mr. Minister, do all provinces have similar rules as to when such letters of probate are necessary?

Hon. Mr. Nilson: — Yes, all provinces, all states, all common-law jurisdictions use this method. And in fact I would say every country in the world has some method of providing proof of the documentation that allows for a transfer of assets from a deceased to those people who are to benefit.

So this process is, I guess, worldwide.

Ms. Julé: — Mr. Minister, many people in Saskatchewan believe that very little in the way of service is provided for the fees that are charged. Many view this as simply an estate tax. And essentially that's what the court rules. The court rules that these fees are a tax. How do you respond to that?

Hon. Mr. Nilson: — Well I guess what I would say is that in 1971, most of the jurisdictions in Canada eliminated the estate taxes in a trade-off to charge tax on capital gains. And at that time I think every province did that except the province of Quebec, and they continued with their estate taxes and a flat fee for probate. All the other provinces eliminated estate taxes, went to the capital gains tax system, and continued with their court fees or probate fees regime. And basically that's the way the country is organized now.

Ms. Julé: — Well Mr. Minister, we still have these estate or death taxes, obviously. And we also have capital gains tax. So we have both where some provinces have substituted one for the other — that seems to me that that's what you're saying.

Hon. Mr. Nilson: — No, I'm not saying that. I'm saying that every province has this system of proving who should be the authorized person — an executor or administrator — to manage the affairs of somebody who has died and the assets are in the estate.

I should also point out that these fees are only paid for by those estates where there are assets that require letters probate or letters of administration. For example, if assets are in joint accounts or a house is in joint names, then it's not necessary to actually probate an estate, so there's no fees paid in that situation.

So I think the best way to understand this is that in those situations where you do require letters probate or letters of administration, this fee or this process is there to protect the executor or the administrator, the beneficiaries, banks, and everybody else that deals with them. But it's not absolutely necessary in every estate, so therefore it's not a general estate tax at all.

Ms. Julé: — Thank you, Mr. Minister. Mr. Minister, the Supreme Court gave provinces until tomorrow, April 22, to get these laws changed. How many provinces have made these changes or are in the process of making these changes?

Hon. Mr. Nilson: — At the present time Ontario, Newfoundland, and New Brunswick have already passed the legislation. Ontario was the fastest. Manitoba has announced they will do so. Alberta and British Columbia are reviewing it.

And we know that the provincial treasurer in Alberta announced yesterday that they were proceeding with an omnibus Bill that dealt with a whole number of these kinds of fees, and so that they're proceeding in that way. They will not meet the deadline obviously, and so they will have to pass legislation that will I guess be retroactive back to the April 22 deadline as well as deal with all the fees they've collected over this century, I guess the best way to put it.

Ms. Julé: — Thank you. Mr. Minister, if these changes are not made in Saskatchewan or if the government would have determined not to make the changes, would the province be required to refund the money that it had collected illegally over the past five decades?

Hon. Mr. Nilson: — There would be this question around these things. Practically I think what would have happened is that if there were court challenges around a specific fee, then they would be dealt with in that case.

I think the irony of this whole situation, if you think about the Supreme Court of Canada decision, the only person who will benefit in this whole process of having those fees refunded is Mrs. Eurig, because in Ontario they passed a law that completely eliminated a chance of any other Ontario resident of ever getting the same benefit that she did.

Ms. Julé: — Now, Mr. Minister, can the Supreme Court ruling regarding government fees only be applied to probate fees, or can there be an argument made that it's a decision that could potentially affect the legality of all other government fees and service charges?

Hon. Mr. Nilson: — There is that potential. And all of the governments in Canada are looking at this issue as it relates to fees and we're doing that as well.

Ms. Julé: — Were you concerned, Mr. Minister, that someone might look at other fees imposed by government and launch similar suits, lawsuits here?

Hon. Mr. Nilson: — Well, we're looking at it in conjunction with all of the provincial governments and comparing notes as to which kinds of fees are charged, and it's something that we're monitoring and we're planning to fix if there are any problems that we discover. At this point, we're still in the review stage.

Ms. Julé: — Thank you, Mr. Minister. In that regard, Mr. Minister, one example that has been brought to my attention by several people is the fees charged by the Land Titles Office for simple transfer of title. Some people are charged hundreds and hundreds of dollars for these transfers, Mr. Minister.

In your opinion, do the charges applied to title transfers properly reflect the government's cost in providing those services?

Hon. Mr. Nilson: — We've looked at that issue. We think there's a very good argument that those fees are justified based on the fact that we have a Torrens system and government-guaranteed title and that's a different system than some of the other provinces have. It's what we have in western Canada and it's a system that has stood us in good stead on the Prairies especially because people can rely on the title that they get from the land titles and deal with that without having to do historical searches and other things before they buy or sell property.

Ms. Julé: — I understand that as far as buying and selling property. But a transfer of title just from one owner, for instance, in the situation where there may be divorce or separation or whatever and just a transfer of title, these fees are quite exorbitant and that's the kind of thing that has been brought to our attention.

Mr. Minister, as you know there are many other fees charged by government that I think you would have a hard time justifying in terms of the cost of providing a service. Do you think we'll potentially see legislation brought forward to deal with all those sorts of fees?

Hon. Mr. Nilson: — As I said before, we're reviewing this and if there is the necessity of bringing forth legislation, then we would be bringing it forward at the time that we've completed our review which most likely would be in the next session.

Ms. Julé: — Thank you, Mr. Minister. I will conclude my questions. I'm not sure whether . . . Did anyone here . . . All right, we'll conclude questions from the official opposition and there are other members wishing to speak to this.

Mr. Hillson: — Thank you, Mr. Chairman, and good afternoon to the minister and his officials. I will be rather brief because I think actually the member for Humboldt was actually quite thorough in the questions she asked.

But I do want to ask the minister if his officials are confident that with these amendments the probate fees can withstand the court challenge and will be found to be fees as opposed to simply a tax?

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

Mr. Hillson: — I did ask you last year about land titles fees and there . . . I mean at that time I believe the figures were that about half of land titles fees are required to run the land titles system of this province. And your answer was well it goes into General Revenue and it's general revenue, which I think is in terms of the in *Re: Eurig* case a pretty stark admission that land titles fees are a tax and not a fee at all.

So I wanted to ask you, is the problem in the view of your officials that we have used the term fee rather erroneously and misleadingly when in point of fact we have all along been talking about taxes. And as I say, as I understand it there was quite a frank admission that the land titles fees bear no relationship to the cost of running the land titles system. They are simply a tax and they take in about double I think what it costs to in fact run the system.

Hon. Mr. Nilson: — Well I appreciate that question and I recall our discussion last year. I think the part of the equation that wasn't included in your question though was the fact of the government backing of the titles within the system. Now we know that we haven't been required to pay large amounts out on those guarantees and a lot of that is thanks to the staff at the Land Titles Office and the legal profession in Saskatchewan who have been very diligent in the whole land titles process.

And I think as the member also knows, we're in a situation where this year we're moving forward with a new system that will put all of this into a new corporation where all of the fees will be used in the process. But that there will also still be a portion that would go to the provincial revenue fund to deal with the fact that there is government backing of the whole system.

Mr. Hillson: — But of course as the minister has already admitted, payments for the guarantee of title have been negligible to nil. And in fact too the money, the money that we collect from the land titles system, is not put in any insurance fund but into the General Revenue Fund. So it's not in a fund to guarantee the title. It's in the General Revenue Fund of the province.

Hon. Mr. Nilson: — I think the simple answer to that is that any guaranteed amounts are also paid out of the General Revenue Fund. So it's part of the process.

Mr. Hillson: — Getting back though to the legislation before us this afternoon, I'd ask the minister, I don't see in the present schedule that there appears to be a formula relating probate fees to the complexity of the work required by court staff. And so I wonder if he could address us on . . . in terms of surviving a court challenge. It seems to me — and please correct me if I'm wrong — but it seems to me that what's going to be required in future is that the probate fees are in some way related to the work and effort required by provincial officials, as opposed to simply a percentage taken off the top.

And I'm going to ask the minister how he thinks that we do get around that, that obvious problem.

(1530)

Hon. Mr. Nilson: — I think in the simple answer . . . in the Supreme Court decision basically what the court was saying was that as long as you set out these fees in the Act so that you have this possibility of debate, like we have here about changing them, and then we've satisfied the requirements of having these kinds of fees, levees, charges, taxes, whatever you want to call them, dealt with within the Legislative Assembly.

And I think that it's important to acknowledge one of the factors of why that particular case ended up going to the Supreme Court of Canada. And that related to the fact that the Government of Ontario at a point in their deliberations increased the fees by a four times factor, I think, or something like that — but a very dramatic increase such that it crossed over the line of fair compensation for the system that was set up. And so that in many ways that case was a reaction to what happened in Ontario.

We know that now even, the fees that they have approved through their legislative process are still about four times what we pay here.

Mr. Hillson: — Thank you. Does the minister think that we will have to cease using terms like "environmental handling charge" and other misnomers like that, that suggest that this is some sort of special charge going to a special fund for a special purpose when, in point of fact, that simply isn't the case at all.

Hon. Mr. Nilson: — I think the simple answer to that is — although I understand the direction of the question — but a simple answer is that the Supreme Court has said they don't really mind what you call it as long as you set out the amount of the fee in the legislation. And so that there can be a debate around any change, increase or decrease, of that particular charge.

Ms. Julé: — Thank you, Mr. Chair. Mr. Minister, from what I understand, the Supreme Court ruling . . . with the ruling of the Supreme Court rather, there is the indication from that ruling that if a government imposes a fee to the public with the express purpose to not only recover costs but to actually turn a profit on providing the service, then that is a tax and therefore must be brought in through legislation.

Now you are putting forward legislation. So in my mind and understanding, that is simply an admission that you are taxing people beyond . . . or collecting a fee, tax, whatever it is, and to your knowledge it is beyond recovering costs. The fees in place are simply too much. They're more than what you need to recover costs, and that is why you're putting forward legislation.

I know that there are other clauses in this legislation where there's a need for it. But I also realize and believe that this is an admission that in fact the fees charged by government in probate and with land titles and so on are exorbitant. They're beyond and more than needed to recover costs. Is that something you would want to comment on?

Hon. Mr. Nilson: — Yes, I'd be happy to comment on that. I think the basic question is, can you track the exact work and the amount of effort and time that's spent by all of the different people within the Court of Queen's Bench as it relates to one of maybe 500 different tasks that are done in that court or a thousand different tasks?

We looked at this and said we don't know how we could do that because there isn't just sort of one person doing this all the time, there isn't one person doing this all the time, so to try to calculate whether this is 1 per cent of somebody's job or 20 per cent, how much of the heat and light bill relates to this, how much of the cost of the building relates to this, was very difficult.

But we do know that based on what we've compared with other provinces, we're at the lowest level. And we basically made a decision that rather than try to get into that whole analysis which we didn't know where it would go, we were going to go ahead and deal with the problem by setting out the fees in the legislation.

Ms. Julé: — Well, Mr. Minister, I just have to make the comment that in the situation where a land title is transferred in the case of a divorce, wherein the couple that are being divorced have previously had joint ownership, joint name on a piece of land, and there's a simple transfer of that title and that is costing people, you know, close to \$500 from what I understand, it seems to me like that is an extremely exorbitant fee especially in that kind of a situation.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

The committee agreed to report the Bill.

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

Clauses 1 to 3 inclusive agreed to.

Hon. Mr. Nilson: — Thank you, Mr. Chair. I'd like to thank my officials for their assistance and also my friends opposite for their questions. I think we've clarified quite a number of issues for the people of Saskatchewan and I appreciate those questions.

And with that I would move that we report this Bill without amendment.

Ms. Julé: — Mr. Chair, I just wanted to acknowledge also and thank the officials for coming in this afternoon, and the minister for his answers that the opposition has posed. Thank you.

The committee agreed to report the Bill.

**Bill No. 7 — The Prairie Agricultural Machinery
Institute Act, 1999**

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

Hon. Mr. Upshall: — Thank you, Mr. Speaker. Mr. Speaker, to my right is Terry Scott, deputy minister of Agriculture and Food; and to my left, Martin Wrubleski, director of ag research branch.

Clause 1

Ms. Julé: — Thank you, Mr. Chair. Good afternoon, Mr. Minister, and I welcome your officials this afternoon and thank them for making themselves available to answer the questions that we may pose to them today.

Well, Mr. Minister, in The Prairie Agricultural Machinery Institute Act, 1999, I understand that PAMI (Prairie Agricultural Machinery Institute) may borrow money from outside sources now because of government revenues . . . or government contributions to them being depleted and going down all the time. Mr. Minister, if those sources are financial institutions, is it the government's intent to guarantee any loans made by PAMI?

Hon. Mr. Upshall: — No. They are of their own volition getting the money and they have been doing that. What this legislation does, it reflects what PAMI has been doing and in legislation.

Ms. Julé: — Thank you, Mr. Minister. Mr. Chair, with your permission and the permission of the minister and certainly the indulgence of his officials, I would like to take a moment to really publicly acknowledge PAMI and what their role is and the ongoing contributions that they're making to our agriculture and industrial sectors. And if you will spare me three to four minutes I think that it would be beneficial to the entire Assembly and people of Saskatchewan to come to understand the major role that they play here in Saskatchewan.

Over the years the Prairie Agricultural 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 and the growth and stability of the agri-food industries in our province.

While being respected worldwide and having contracts with many multinational companies that sell their product here, PAMI primarily focuses on stimulating economic enterprises in Saskatchewan through a vast array of programs. As examples, they provide safety standards testing to companies like Doecker in Annaheim, Eastern Air Supplies 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 improve existing

products. They are pursuing sustainable agriculture with examples like the publication of a direct seeding manual for the next millennium, and research on environmentally safe injection of hog manure into soil as a crop fertilizer.

They are determining how new technologies like precision farming will best apply to our prairie farming systems. They are pursuing new harvesting and processing systems for the fledgling herb and spice industry. Their impact is spread to other sectors as they do safety testing to man-lift cables in our potash mines, and ambulance certification to assist Crestline Coaches of Saskatoon to obtain export contracts.

They have also shown great innovation by identifying our ag machinery designs as potential land mine clearing machines to create new markets for companies like Schulte of Englefeld while making many parts of the world a safer place to live.

In short, PAMI's work continues to have a positive technological, economic, environmental, and social impact. And I do encourage my counterparts in government to remember PAMI as a strong resource of applied research and development expertise as our province searches for new ways to generate wealth and enhance the quality of life in Saskatchewan.

I also commend PAMI and I challenge the management there and the staff to hold the course on their vision for the future. Thank you.

(1545)

Mr. Bjornerud: — Thank you, Mr. Deputy Speaker. Mr. Minister, I'd also like to welcome your officials here today. I have very few questions — just kind of clarifying a few points on this Bill. I think we're in agreement that these are all positive changes.

Mr. Minister, could you clarify exactly what you mean when you state in the Bill that PAMI will be able to work outside of its parameters of the agriculture industry?

Hon. Mr. Upshall: — What this does, it puts in the Act the ability . . . actually what PAMI is doing now. Their mandate originally was just agriculture but as we've just heard described they've gone far beyond that. It allows them to bring in technologies that are not agriculture related, work on those. So it basically gives them the authority to do what they're already doing.

Mr. Bjornerud: — The amendment also states that PAMI still receives some government funding. And I guess maybe could you just explain how the funding works now with the government and PAMI, and what share you put in and how much it is?

Hon. Mr. Upshall: — The history of the funding is that government . . . the Alberta, Manitoba, and Saskatchewan governments funded PAMI — at that time it was in all three provinces — and then in 1988 I believe the Devine government started reducing the funding to PAMI over . . . so much percentage over a period of years. We halted that about five years ago, and it's been at 768,000 for five years now. And

that's about 30 per cent, 30 per cent of the funding.

And what we want to do . . . PAMI needs the stability because when they're doing contract work it provides the people they're doing the contract with, with some knowledge that this thing is going to be around for a while, and that the funding isn't going to continue to decrease.

So it's base funding. And as they do more work for . . . contract work that ratio will change. It used to 50 per cent; now it's down to 30 per cent.

Mr. Bjornerud: — Thank you, Mr. Minister. Part II, section 5(c) of the PAMI Act states that:

(c) the institute may sell, lease, convey or otherwise dispose of and convert into money any of its real or personal property that the institute considers no longer necessary for its purposes.

Can you just tell me: do we have . . . has the Government of Saskatchewan equity in anything that PAMI owns? Its assets or anything? Do we have an investment in there or is it just that we subsidize them every year in operating costs?

Hon. Mr. Upshall: — The legislation allows them to be an institute unto themselves. We provide them with a \$768,000 grant every year. Plus they apply — I forgot to tell you the last question — they apply for project funding from the government. But no, this is just a grant and they are an institution that runs themselves.

Mr. Bjornerud: — Thank you, Mr. Minister. The Act states that PAMI will be able to borrow funds or establish a line of credit to meet the cash flow demands inherent in the activities of the institute.

I guess my question would be then: do we guarantee that money if PAMI borrows money or do we have any obligation to those loans that they make?

Hon. Mr. Upshall: — No.

Clause 1 agreed to.

Clauses 2 to 30 inclusive agreed to.

The committee agreed to report the Bill.

THIRD READINGS

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

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

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

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 this Bill be now read a third time and passed under its title.

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

Bill No. 7 — The Prairie Agricultural Machinery Institute Act, 1999

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

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

COMMITTEE OF FINANCE

**General Revenue Fund
Agriculture and Food
Vote 1**

The Chair: — I'll ask the minister to introduce his officials please.

Hon. Mr. Upshall: — Thank you, Mr. Chair. To my left is Terry Scott, deputy minister of Agriculture and Food; to his left Hal Cushon, director of policy and program branch; behind Mr. Cushon is Ernie Spencer, assistant deputy minister; and then Jack Zepp is the director of admin. services. Beside Jack is Ross Johnson, budget officer administration services; and to my right is Doug Matthies, general manager of Sask Crop Insurance.

Subvote (AG01)

Mr. Bjornerud: — Thank you, Mr. Deputy Speaker. Mr. Minister, I'd like to welcome your officials here today. It kind of somewhat scared me when I saw the number of officials you brought in but we're used to being short numbered over here so it won't be a problem.

Mr. Minister, I'd like to start off today, and I'm sure you've got a number of these phone calls, and e-mails, and letters from farmers, but this is just an example. And I want to start off with the AIDA (Agricultural Income Disaster Assistance) program as I'm sure you're aware of that's on the mind of every farmer. But I want to read you this e-mail and it's just an example of things we're that getting in here and the describing to a T what the AIDA program is in the minds of Saskatchewan farmers.

(1600)

The farmer starts off by saying:

In trying to figure out if I might be one of the few people who might possibly qualify for the LIBERALS crazy program, I have found out a few unbelievable things about the calculations. The main one being that any income that was deferred from 97 to 98 is not counted in 98 (which I already knew), but that it is also NOT counted in 97!!! It seems to magically disappear in the favor of the government. They use an accrual accounting method for 98, and then switch to an enhanced cash method for 95-97, (like NISA). The problem in this is that like I said before

any moneys deferred from 97 to 98 can't be counted in 98 (accrual accounting) or 97 (cash-sort of accounting). What this does is lower your base average that is used to figure out if you get any payout. I personally deferred \$60,000 to 98 from 97, so that all of that money can no longer be used to up my average, thus making it even harder to get a payout. I know another person who phoned AIDA about this insane accounting method and they told him they knew about it, and it is the way its calculated, too bad for you!!! I'm 28 and a full time grain farmer, if I don't have a hope of qualifying I can't see how many others would qualify either. This is a Eastern Canada program for eastern Canada: the west will take another one on the chin. Thanks for your time. Ed Dilsner.

And, Mr. Minister, I think this is an example of the calls we're getting with this, as he said, insane program that's going to do absolutely nothing for Saskatchewan farmers.

And today I don't know if you heard, Mr. Minister, Mr. Vancief made another one of his brilliant comments about the AIDA form in the House of Commons. And it could have been yesterday but I heard the tape of what he said, and he went on to actually in a way say that we're very dumb as farmers here in Saskatchewan, because we can't fill out this simple form that his bureaucrats down East have come up with. And he said it's five pages, you just have to take the numbers from here and transcribe them over there. It's that simple.

Well if it's that simple I think maybe we should send Mr. Vancief some smelling salts. Because every accountant in this province is frustrated when the farmers are taking these in to them because it's even complicated for them to fill out. On top of that what's happening, and I know you know this as well as I do, it can be anywhere from 200 to a thousand, \$1,200 to fill out these forms.

I guess my question is, Mr. Minister, are you asking Mr. Vancief to retake a look at this program, shake his head, and really understand this program? Because of his comments today I don't think he even understands what he's put in front of us, what he's put in front of our farmers in Saskatchewan, and how little benefit we're going to get out here in Saskatchewan.

The Deputy Chair: — Order. Before I recognize the minister for his answer, I just wish to remind the member that comments are to be directed through the Chair as opposed to directly at members opposite. And of course that is simply a reminder for the minister as well.

Hon. Mr. Upshall: — Thank you, Mr. Chair. We all know and I've said ad nauseam that this has not been a classic example of administrating a government policy in the history of governments. But having said that you have to understand and I'm just . . . to answer your . . . To talk about your first point we get the calls too and we understand what the options are. We have no options in terms of the federal government.

The alternative . . . if the case that you spoke of were to be corrected we would have had to go back and do all the NISA forms again over three years on an accrual basis. Now the question to be asked is why they didn't just continue that? And we can argue about that. I'm not going to defend it because I'm

saying the administrative process here has not been a classic example of wizardry.

But the one thing . . . and I did talk to Mr. Vanciel yesterday about AIDA. In the last two days actually, I had a couple of opportunities — not sit-down meetings — but to talk to him about the program. And my question to him was this: is there any chance of changing the forms this year. And the answer is no.

And you know that's basically the way we were treated when we started negotiating. In fact most of the negotiation was about how much money each of us were going to pay and not about the program because they weren't negotiating program. And so that's a flat no.

But what he did say yesterday at a press conference — I don't know if you saw that or heard that, I don't know what portions of it came over the media — but we sat down yesterday afternoon in Ottawa and had a press conference on the WTO (World Trade Organization) conference. There was a question about AIDA. Mr. Vanciel, to my knowledge the first time opened the door to possible changes in the program for next year.

Because my line is — and I wanted to ask you this as well — I know the program is not the greatest. We all know the process that we went through to get to where we are today. But what I want to ask you is this: you've been going around in the media in the country saying how rotten this is and the farmers can't apply and it's expensive and I know all that to be true.

But the problem with that line is, is that if we don't have farmers apply — there's a 5-page form and it's going to take a few hours to sit down and do it; I've looked at it myself and I hate forms as much as the next farmer as probably you do too — but the fact of the matter is if we don't have people apply, even the knowledge of whether you're going to get money or not going to get money is absolutely not there because none of us know.

Our department's done a bunch of numbers and it's all over the map. So there's no consistencies as to who's going to get money and who isn't. It depends on your farming operation, it depends on your gross margin, it depends on your inventory in, your inventory out. It depends on that as you know.

But what I ask you to do is help us — never mind us, don't mind me — help the farmers because if we don't get people applying and getting turned down as we think many of them will be, then how am I or you supposed to go to the federal government and say: look you've got a program, you've had X number of people apply, only a certain percentage of those qualified, and even the ones that qualified maybe did or maybe did not need the money.

So what I'm asking you to do is . . . while I know that in opposition you're always supposed to oppose, I think what we have to do is ask farmers to apply, bite the bullet, sit down for those few hours it takes. And remembering that over 90 per cent of the eligible net sales are in NISA so that means almost all farmers are in NISA, and if they are, the form is not as hard as it is if you're not in NISA.

So the key here is not looking backward. You can criticize me all you like about going in the program or not. We can get into that if you like. But from here forward, now that the minister I think has opened the door yesterday to maybe possible changes next year, I think we have to encourage everybody to go in so we can do the analysis and explain to him as to what we already know probably — this program is not working very well.

The Deputy Chair: — Order. Just would, before we continue, remind the minister that all comments are to be directed through the Chair and I know that the minister being a veteran member will do so.

Mr. Bjornerud: — Thank you, Mr. Deputy Chair. Well, Mr. Minister, what you're saying is farmers should go out, fill the form out because no one knows if they are going to qualify. And I agree with that — nobody in their right mind could figure out if they're going to qualify in this program.

The problem being is that when you take your form, Mr. Deputy Speaker, to an accountant and the accountant looks at it and roughs it in and said I don't think you're going to qualify for anything, how many farmers do you think are going to pay 6 or 800 bucks just for the fact to show that they actually applied?

I guess my question for you is, would you be willing to pick that up then in the case where the farmer doesn't apply for anything or doesn't qualify for anything?

Hon. Mr. Upshall: — Well I think the member knows the answer to that one. I'm saying is that there's a five-page form. The answer is no, the government taxpayers won't pick that up. And you know that. It would be a precedent that maybe you would like to set but I wouldn't.

The problem is . . . there's a five-page form, there's a five-page form that the farmers can fill out on their own. And it takes a little bit of time. I don't know how much time but it would be a few hours; and that if you're in NISA, it wouldn't take more than a few hours.

But you'd have to go back and you'd have to separate, for example, on the form under the NISA, if you were to custom work land . . . If I was to custom work land for you it would be an income, and if I were to rent my machinery out to you it would also be income. It was under the same umbrella in NISA. The AIDA program separates that. So you'd have to go back and there's a few things you have to separate out, like your inventory. But it's possible to do.

Now what I'm saying to producers — and I know the cost to doing it through an accountant — but what I'm saying to producers is even if you don't send your form in we'd like to hear from you. We'd like to know how many people aren't qualifying. Because, I repeat, if we don't know how the thing is not working, we won't be able to go back to the federal government and say here is why it's not working.

Mr. Bjornerud: — Well, thank you, Mr. Minister, but I honestly believe Mr. Vanciel is way out to lunch when he says these forms are not that complicated. And I hope I'm not hearing you right that you're kind of saying that to a degree — not to the degree he said — but you're saying they're not as

complicated as people think. Because every call I get, farmers are totally frustrated with the amount of time this is going to take to fill out. And when they get to the final count, they're probably not going to get a nickel out of it anyway.

And a call I had today, another call I had today, Mr. Minister, and you know this farmer, I know you do — Herb Rooke — had just called me and said this is unbelievable. We're looking for money for spring seeding. I applied. I phoned in and got my NISA form sent out, phoned in to get a form sent out for AIDA on March 22 and I still haven't received the form.

I guess, Mr. Minister, my question to you is: will you look into that and find out why on earth they aren't getting on the ball with these forms and getting them out there so at least there might be a little optimism in the farmer's mind. At least he can start filling them out?

If the form is taking this long to get out here, how long is it going to take to actually go through the process? It could be October before the farmer even knows whether he qualifies.

Hon. Mr. Upshall: — Well I don't know why he hasn't got it and there's absolutely no excuse for him not having it. And what I would say to you is what I would say to Mr. Rooke, is that we can find out, we can try to find out through the federal NISA administration why he hasn't got it. But his easiest solution to his problem is walk into the rural service centre or call his rural service centre.

Because what we've had . . . First of all, the feds ran out of forms so there was a gap there. Now I don't know why they would run out of forms but that's what we were told. They ran out of forms at one period in time.

But what we've done to try to assist farmers is that the forms are on the Internet and if you go to your rural service centre or give them a call, they'll give you one. Either mail it out or if you go in, they'll just take it off the Net and you can have your form immediately.

Mr. Bjornerud: — Thank you, Mr. Minister. Mr. Minister, I'm sure you've heard from farmers out there that are saying I'm going to get this spring . . . I've gone to get my operating loan — and I know this isn't in every area of the province because some areas are a wee bit better off than others. But some areas are in really bad shape. The northwest corner up there where it's dry is a perfect example. Over on the east side in our home area it's not been all that fantastic. South of Regina.

It's all over the place, Mr. Minister, where farmers are going in to get their operating loan renewed or have already — this is getting late, but they've done it already — and they're being turned down for an operating loan that they paid off last fall, thought they were in good standings. Some of them may even be going back to Cargill or Wheat Pool or ConAgra, whoever it is, and maybe haven't been able to clear 100 per cent of their last year's input costs off. And what I'm seeing and hearing now is that what's happening out there is with Cargill and it's probably good business on their behalf but it's a situation where farmers are caught in. If you haven't cleared off your last year's account and you go to get it renewed, Cargill for an example, I hear, is not renewing any of them if you have anything

outstanding.

So a number of the farmers that I've talked to or have got a hold of me are going over to the Pool or they're going over somewhere else. And there's . . . I guess, and it's good business, but it's an old boys' club because the minute that happens, you go over here and Wheat Pool or whoever it is said: look, we'd like to help you; we can't help you; you still have outstanding money.

So it's just another example of where we're not standing behind our farmers and helping them out when they're really in trouble.

If you remember, Mr. Minister, when we were down East and we met with Mr. Vanciel and one of his comments was, God forbid if we give a farmer something for nothing. Do you remember that? He said this is why we got a . . . we can't have an acreage payment, we got to make it complicated, we got to let the bureaucracy spend a month and a half making it complicated so it takes three and a half months to finally analyze whether you get anything out of it.

If we'd have gone at that time and made an acreage payment, Mr. Minister, it would have been way simpler. The farmers would have had their money in their pocket. Even though the amount of money might not have been anywhere near what we had hoped our farmers would get, they would have had, they would have known, and it would have helped.

Mr. Minister, you've talked —and I don't know how many times I've heard you say this in your speeches that . . . and this goes back probably after the trip we took down East, in fact you made those comments to the Standing Committee on Agriculture down East — that we're going to negotiate hard here in Saskatchewan; I'm going to be stubborn; we're not going to put anything in from the provincial government, we don't feel we should.

(1615)

And I think we agreed with you at the start of this process, and you know that. We felt that it was a federal responsibility and we had hoped the province wouldn't have to put any in.

But I think, Mr. Minister, we saw the light a lot quicker than you did. In fact the first time I saw it was when we were down East meeting with the Standing Committee on Agriculture and they asked you that: are you putting any money in? And you said, no, we're going to be stubborn. And you could see their impression of what we were asking for down there really belittled the situation out here our farmers are in, and I don't think they took us serious.

Mr. Minister, you talked about having input into the program and so on. My question is: what input did you really have in this program?

Hon. Mr. Upshall: — Well I think just to clarify a couple of things, exactly what I said. I'm going to be stubborn but not stupid about this program. I never closed the door to putting money in but I felt that the share of 40 per cent that they're asking for is totally unreasonable. And we can get into that, and I've said that ad nauseam. And to be honest with you, I think

the overwhelming majority of people in this province agree with me that 3 per cent of the taxpayers . . . In fact I say this to producers: if you think that the provincial government can bail you out for the money you need, then forget it.

You know what? They all know that.

And I said if you look at the federal off-load, at some of the policies that your government supported: removing the Crow benefit, deregulation, you know your . . . I won't get into any more. If you want to get down, we can do that, but some of the policies you supported that took money out of here. I said if you think the federal government's in a mode to give more money to the province, then you're probably wrong there too.

And so what we have, what we have to do is try to as, not just as producers or governments but everybody work beyond politics in terms of the federal off-loading.

The process that we went through was we were asked to come to the table to negotiate a program. The program basis was predetermined by the federal government, supported by British Columbia, Alberta, Ontario, Prince Edward Island, and a few more.

We were asked to help fine-tune the program. An example of — we wanted to do more than that, more than fine-tune it — an example of what we'd asked for was to come up with a policy within AIDA that would cover farmers who had a multiple drought situation. Because if you recall in July, 1998 that was one of the reasons that, when I went to the fed-prov agriculture meeting, that we said — and we repeated, I think, in Ottawa — you've got problems from drought in areas and that was the . . . that spurred on this disaster program.

But as we all know that carried through into general farm income shortages because of high input costs and low, low grain prices.

We sat at the table. We said if you've got a program that says if you fall below 70 per cent of your three-year average then you'll get paid. And your three-year average is so low that you won't really trigger a payment — what good's the program? You know and I know the answer. The federal government totally ignored it.

We said if you're a farmer or a producer who increased your land base, let's say, you went from six to ten quarters of land in the transition year. Your land base of six quarters wouldn't reflect the need of ten quarters. And so we should have some kind of a benchmark for those people. They totally refused.

The only thing that — one of the few things I guess — but the only thing of any substance that we got through is that if you were a new farmer and didn't have a three-year record of production for a gross margin, then they were going to, they're going to do some kind of a benchmark to put you in the same as . . . to make sure you got a payment equal to the area that you were in. And I just don't know the details of how that works but they agreed to do that. So they wanted us to come to the table, fine-tune, no input on major . . . anything of consequence, and basically they wanted us to come to the table and pay the bill.

And that's why I was stubborn and I will be stubborn. Because if you think, if anyone thinks that \$70 per capita through this program from the treasury of Saskatchewan and \$4 per capita through the treasury of Ontario is anything close to equal in this country, then you've got to shake your head.

And I haven't quit that argument because AIDA will come and AIDA will go but the next round of safe net discussions that we're in right now, where we have problems because they want to take more money out of Saskatchewan, I offer to you and I will be coming and talk to you, we've got to get together and see how we can present this as a unit. Because it's no longer politics.

You see the numbers, you see the numbers that the feds are off-loading and maybe you can answer me the question of do you think that \$70 per capita is fair. At the end your leader was saying just put your 40 per cent in. Do you think it's fair that we should do that in Saskatchewan and Ontario puts 4 in?

Mr. Bjornerud: — Well, Mr. Minister, I'm sure glad you brought Ontario up. Did you see or hear . . . Mr. Deputy Speaker, the minister should have heard this yesterday, and I'm just going to quote a little bit from the House of Commons, Mr. Howard Hilstrom, and the question he asked yesterday is:

Mr. Speaker, yesterday the Minister of Agriculture talked about mailing out applications forms when I asked him how much money farmers had received from the disaster assistance program.

Farmers do not want the minister to talk about sending out forms; they need the minister to help. Can the minister tell the House how much money he has sent out to producers?

Listen to the answer and you see comparing Saskatchewan and Ontario. And this is from a Joe McGuire, a parliamentary secretary to the Minister of Agriculture of Food.

Mr. Speaker, an example of what the government is doing as the applications come in is that Ontario, which has returned a thousand applications, is receiving a payout of about \$25,000 a farmer.

The farmers on Prince Edward Island have submitted about one-fifth of their applications forms at a payout rate of \$38,000 a farmer.

Now you talk about Ontario and criticize them. I would say if you'd had got on the ball, every farmer in Saskatchewan would appreciate \$25,000, Mr. Minister. Would you care to comment on that — what your record is compared to what Ontario is doing? And I find it amazing that you could even criticize something they're doing in Ontario when they're standing behind their farmers and our farmers are getting absolutely nothing out of this program.

Hon. Mr. Upshall: — Maybe the member could just articulate a little more what he meant by if I was "on the ball." I don't quite understand what he means. What we should have done different?

Mr. Bjornerud: — Mr. Minister, I would be glad to give you

the answer to that too.

When you saw that the federal government was not taking us serious here in this province, it was time to put some money on the table, say to the federal government, let's see how much we can do for Saskatchewan farmers.

They didn't pay any attention to what you were saying; they didn't think our problem out here was at all as bad as it is — they still don't, I believe — because of the response that you gave them. And you're trying to tell me by being stubborn as you were, negotiating hard, and still seeing that we're getting nothing here in Saskatchewan that that was the thing to do.

Mr. Deputy Speaker, I can't believe that you still have that mindset, Mr. Minister, when you see what's happening down East.

You have to agree with what we're seeing here. This program was designed by Easterners for Easterners. They forgot all about western Canada because . . . a couple of reasons, Mr. Minister.

Number one, our Premier disappeared through the whole negotiations. Hid in his glass bubble. The same guy that said a premier of the province of Saskatchewan should be measured by the amount of farm aid he receives for the province of Saskatchewan farmers when they are in a time of need.

Mr. Minister, we are in a time of need. And that same Premier did absolutely nothing — he hid. And you went around this country saying you're going to be stubborn. Well a lot of good it did us.

Mr. Minister, also you talked a few minutes ago about the world trade agreements and GATT (General Agreement on Tariffs and Trade) and all these things. Many farmers out here are totally mystified by the way this works. The Europeans are putting in millions upon millions of dollars into their farmers through subsidizing grain a number of different ways. In fact, their subsidies amount to more than we even receive for our grain here.

The Americans not long ago . . . And they receive more than we do for our grain, partly because of your protection of the Canadian Wheat Board. But they receive more for their grain than we do. I believe the Americans just put \$7 billion in. And you've probably heard this as well as I have: they're just about to think about putting another aid package together for their farmers.

And we're worried about the trade agreements we have with everybody else in the world, and we're using that as a crutch. We used it when we cancelled the Crow and we're using it now. You're using it and you're saying, well, it's not trade-friendly. How can it be trade-friendly for the Europeans? How can it be trade-friendly for the Americans when you and our Agriculture minister say we can't help our farmers here in Saskatchewan because it's not trade-friendly?

Mr. Minister, explain to the farmers in Saskatchewan why everyone in the world can get away doing whatever they want and in Canada we can't.

Hon. Mr. Upshall: — Mr. Chair, I think the member opposite knows that he is not being honest when he says I said it wasn't trade friendly. The reason we got a NISA top-up is because we bargained hard. And that was one of the best things that farmers . . . Even though it wasn't a lot of money, I got more positive comments on that. And even if we couldn't do an acreage payment that the federal government didn't want to do an acreage, we could have maybe done a NISA top-up. I'm agreeing with that.

But I want to say one thing. Now you've got to watch your credibility and I know the member over there does take some pride in his credibility.

But have you stopped to do the numbers? Have you stopped to do the numbers in Ontario? There are 67,500, roughly, farmers in Ontario. If they're all getting 25,000, let alone 38,000 . . . (inaudible interjection) . . . Well I think he said 38 in PEI (Prince Edward Island). Let's say 25,000. That would be, we figured out, \$1.7 billion. That's more than the entire program. And the Ontario money at 25, if somebody got 25,000, they would be paying out their 40 per cent so they wouldn't be getting 25.

What I'm saying is, even if it was 25 or whatever the number is, you're trying to give a perception that Ontario farmers are all getting \$25,000. Well give your head a shake. It comes out to more than the entire program for all of Canada — 1.7 billion.

So I mean I'd watch the credibility aspect for yourself if that were true.

Now part of the problem, part of the problem here is that you're running around the province saying, farmers, you know this program is no good; there's no use applying.

Now what I tried to tell you is this. If you want to get into the politics about the farm program and you talk about the Crow benefit, you were the people who for years ran around saying get rid of it. You were the people. Everybody knows that.

So I'll tell you if we had the \$320 million of Crow in Saskatchewan today my friend, you wouldn't need AIDA. So don't stand up here and say that all of this is a big problem created by the federal/provincial governments. I know the program is not a great program. But I'll tell you, you'd better sit up and stand up and take some credit for getting rid of the Crow benefit. And we can go on about that.

And if you want to talk about Ontario and Saskatchewan . . . (inaudible interjection) . . . well if the member opposite, Mr. Chair, wants to get up and talk, let him get up and talk. He yaps from his seat but he won't take the mike. Maybe he should do that . . . (inaudible interjection) . . . Okay, that'll be more fun.

Mr. Speaker, if you want to talk about Ontario, if you want to talk about Ontario, if we assume he was right — which he's not . . . I mean they're putting \$4 per capita in compared to Saskatchewan's 70. Where do you think they're getting the money from? What I'm talking about is fairness across Canada. And you should be too.

And you talk about GRIP (gross revenue insurance program) all

the time. And I'll talk about GRIP any time, because it doesn't matter if you call it GRIP or if you call it AIDA or if you call it anything else. The fact of the matter is, unless there's some fairness put in this country, and instead of standing there and chirping from your seats in the wilderness because you've got no federal party to represent you in Ottawa . . . (inaudible interjection) . . . Oh, you do.

You do? You do . . . (inaudible interjection) . . . What is mine? Let me tell you something — he said what is mine. I did a little bit of research, I did a little bit of research . . .

The Deputy Chair: — Order, order. Order. I just wish to express to all members the Chair is also interested in this debate and I'm having a great deal of difficulty hearing the minister in his response.

Hon. Mr. Upshall: — Mr. Chair, I did a little bit of research. You know, the member opposite's leader, Mr. Hermanson, was a Member of Parliament for the Reform Party in 1995. And just for a little refresher course, in 1995 the Liberal federal government did three things: they took away the \$320 million of Crow benefit over three years; they deregulated the rail system so that the profit sharing was gone and we lost another \$105 million; and they reduced the federal safety net dollars from 850 million to 600 million.

I ask you, Mr. Member — Mr. Chair, I ask the member — go back to the *Hansard* in Ottawa after the 1995 budget where this was done and read what your leader, Mr. Hermanson, said at that time when he addressed the parliament in Ottawa. Do you know what he said about agriculture after the Crow was gone, the deregulation, and the safety net was cut? Zero — zero. Go back and read it.

And now he comes out here and you come out here with him as your leader and you say, well we're the saviour of the farmers. I'll tell you something. Producers can see through that, are beginning to see through that, because you cannot go around saying, we're the saviour of farmers.

Let me say one more thing — 1996, your leader Mr. Hermanson was again in parliament in Ottawa. And you know what he was advocating? More cuts to agriculture. And you know what? It was only \$20 million — I'll save you your speech — it was \$20 million. And some of it was the feed freight assistance to the East and there was administration cuts.

That's not the point. We just lost 250 million in safety nets and 300 million and 20 million in Crow and 105 million through deregulation the year before, and instead of standing up for the farmers of western Canada and Canada, your leader wanted more dollars cut from agriculture.

Maybe you could tell the Assembly today why he wanted more dollars cut from agriculture.

Mr. Bjornerud: — Well once again, Mr. Minister . . . Mr. Deputy Speaker, the minister reads . . . talks about part of a quote and forgets to go all the way. He did say make a cut to the Agriculture budget by cutting the money for the bureaucracy and give the money to the farmers.

Now, Mr. Minister, wouldn't that be a shame if we finally forgot to build a huge bureaucracy and put our cash right in the hands of farmers. What are we doing? You're agreeing with Mr. Vanciel, Mr. Minister — make up an AIDA package that is bureaucratically heavy-duty, but forget to give any money to the farmers. And that's exactly what you're saying here. Mr. Hermanson was saying exactly the opposite.

You go on to say, Mr. Minister, in your comments, if I understand them right, that nobody in Ontario is getting \$25,000. Well I find this is amazing. Because I'm quoting right out of the House of Commons, and I don't . . . I would be sure this person isn't lying. And I'll read it again for you:

Mr. Speaker, an example of what the government is doing as the applications come out in Ontario, which has returned 1,000 applications, is receiving a payout of about \$25,000 a farmer.

I have no idea why this guy would lie like that. Then he goes to say:

The farmers on Prince Edward Island have submitted about one-fifth of their application forms, and the payout is about 38,000.

Now you can say it's blown the whole program right out of whack here, these numbers. But these aren't my numbers. These are coming from down there. So I know it's probably embarrassing to you to even fathom that a farmer would get this many numbers when your government has never stood behind the farmers in this province since the day you were elected. And you had a lot to do with that, Mr. Minister.

You also talk about the Crow. The Crow was going, Mr. Minister. If you and your cronies would have woke up and saw it going and hadn't have fought the system and cost us probably \$7 billion because we bucked it along with the farmers union . . . You and your people bucked it. The National Farmers Union bucked it. Sask Wheat Pool lobbied against it. And guess what? By the time we got it, our farmers got it, Mr. Deputy Speaker, it was watered down to the point where it did absolutely nothing. It was a trickle.

So don't point the finger over here and say we tossed the Crow. What you did by dragging your feet and keeping your head in the sand as you usually do, cost our farmers billions of dollars in this province.

You're also the same people that cancelled the GRIP program and cost us how many millions more. And you turn around and have the audacity to tell me, Mr. Minister, that the farmers in this province are actually starting to stand behind you.

Well I suggest, Mr. Minister, that you better . . .

The Deputy Chair: — Order. Order, order. Order, order. Order.

Mr. Bjornerud: — Thank you, Mr. Deputy Speaker. Let's just go over it again because it seems to really rile the members up on that side, Mr. Deputy Speaker.

How many times have you cost us money? You dragged your feet on the Crow; you knew it was going — how many billion dollars? You cancelled GRIP the minute you got into power without any hint you were going to do it. That was somewhat similar to how you did with the 52 hospitals you closed out in rural Saskatchewan. Your record in rural Saskatchewan should be embarrassing to you. You shouldn't even be mentioning it.

Mr. Deputy Speaker, the minister keeps going on about how his government is climbing in the polls in rural Saskatchewan. And as I was about to say, the polls, — and we know you poll every week so you should have a handle on this — is that you're disappearing in rural Saskatchewan. You're not dropping; you're disappearing. Even the third party is ahead of you in rural Saskatchewan, and that's amazing in itself, Mr. Minister.

Mr. Minister, to get back to business — and I really have to do this — you took \$140 million to put into the aid program outside of Saskatchewan begrudgingly. But can you explain to me, Mr. Minister, why when the 140 million came up, you took it out of last year's budget instead of taking half of it out this year and the other half next year which would have been normal accounting practices?

Hon. Mr. Upshall: — Well, Mr. Speaker, or Mr. Chair, I want to make one point before I start and that is: I don't know if the quote you talked about from Ontario — \$25,000 per farmer — is right. I think that you and I both know that it's not right. Now maybe it was a mistake when it was said. I'm not saying he's misleading the public, I'm . . . just maybe it was a mistake. But it's impossible for every farmer, 67,000 farmers in Ontario, to get \$28,000 because they'd use up the entire federal and provincial portions of the program.

So while I'm not saying anyone was misleading, you know that quote's not right, and so do I. I say your credibility could be at stake if you continue that.

And I want to just mention, when we talk about your leader, Mr. Hermanson, after . . . This is June 27, 1996. And you said that Mr. Hermanson said that I should cut the budget and give it to farmers. Well I would like you to produce that quip or quote.

An Hon. Member: — Okay.

Hon. Mr. Upshall: — Okay, he says. I think I'll be long in the tooth before that happens. Now I'm not saying that this . . .

An Hon. Member: — You already are.

Hon. Mr. Upshall: — I already am fairly long in the tooth. That's right.

I'm not saying that this press report is . . . covers everything that Mr. Hermanson said.

An Hon. Member: — Oh but you're selectively quoting from it.

Hon. Mr. Upshall: — No, I'm not. I'll read the whole thing. I can read the whole thing if you want. This press report says that:

Reform MPs last week tried and failed to convince the House of Commons Agriculture Committee that more than \$20 million should be trimmed from the agricultural 1996-97 budget.

Three things. As the committee voted in June, Mr. Hermanson suggested three cuts: 76 million from operating budget, 11 million from the department budget, and 2 million from the fund that was the feed freight assistance subsidy program.

And it doesn't say anywhere in this . . . And you can take my word for it, but if you want it, I have it here. It doesn't say anywhere where he wanted to give it back to farmers.

My point is this again. My point is this. If the year before, Mr. Hermanson, your boss, said nothing opposing the \$250 million cut from the federal Department of Agriculture's budget in safety nets, if he said nothing about that and, if he comes in a year later and advocates 20 more million dollars of cut, I would argue that he's not defending farmers. Now if he would have said, don't cut the budget, just reallocate it, then I would agree. But the press release said; cut, and he quotes — it quotes Mr. Hermanson as "cut the budget." If he took that 20 million on top of the 250 and said let's reallocate, then I would say fine, I would agree with that.

But I think the reason that he said cut, Mr. Chair, is because I have also went back and looked at the Sask party resolutions in agriculture just last convention you had. And under the resolution on value-added and private . . . what does it say here. "Pursue private sector value-added opportunities in agriculture." Nothing wrong with that; I think that's good. But the rationale . . . okay let me read it just so you don't accuse me of . . . I'll read the whole thing for you. This is the resolution:

The Saskatchewan Party will encourage the pursuit and pursue private sector value-added opportunities for Saskatchewan's agriculture sector at every opportunity and will create an economic atmosphere in Saskatchewan which will encourage entrepreneurs to start value-added business in our province.

I agree with that a hundred per cent, but the rationale is what I don't agree with. Here's the rationale for the resolution. It says:

Governments should never become involved directly in business through grants, loans, or direct investment.

That's your party's rationale for a private sector . . . agriculture. Now I agree we have to encourage all private sector people to come into agriculture. But you can't stand in your place and criticize the AIDA program when your policy rationale says you shouldn't give money to farmers — period — through grants, loans, or direct investment.

So maybe you can take a little bit of time to explain to the people of Saskatchewan and the farmers especially how you can on one hand say that you're a great supporter of agriculture and farmers and the AIDA program should be improved and we messed it up, when by your own admonition you wouldn't have put any money in.

Mr. Bjornerud: — Well, Mr. Minister, you're a great one to be

talking because of your record of, Mr. Deputy Speaker, of the money that the minister put into the hog industry in Saskatchewan and what — six months later the bottom fell out of the hog industry. Your record's not all that great too. It's somewhat dismal.

Mr. Minister, I'd like to just touch on a few questions on crop insurance here before our time runs out. Can you give me an estimate how many people you feel are going to be enrolled this year in the crop insurance program?

Hon. Mr. Upshall: — I'm advised by my officials that we're anticipating approximately 34,000 contracts in crop insurance this year.

The committee reported progress.

ROYAL ASSENT

At 4:46 p.m. His Honour the Lieutenant Governor entered the Chamber, took his seat upon the throne, and gave Royal Assent to the following Bills:

- Bill No. 3 - The Intestate Succession Amendment Act, 1999/Loi de 1996 sur les successions non testamentaires
- Bill No. 4 - The Securities Amendment Act, 1999
- Bill No. 18 - The Constitutional Questions Amendment Act, 1999
- Bill No. 8 - The Assessment Management Agency Amendment Act, 1999
- Bill No. 14 - The Urban Municipality Amendment Act, 1999
- Bill No. 13 - The Rural Municipality Amendment Act, 1999
- Bill No. 12 - The Northern Municipalities Amendment Act, 1999
- Bill No. 17 - The Local Government Election Amendment Act, 1999
- Bill No. 10 - The Boiler and Pressure Vessel Act, 1999
- Bill No. 27 - The Queen's Bench Amendment Act, 1999
- Bill No. 28 - The Administration of Estates Amendment Act, 1999/Loi sur l'administrations des successions
- Bill No. 7 - The Prairie Agricultural Machinery Institute Act, 1999

His Honour: — In Her Majesty's name I assent to these Bills.

His Honour retired from the Chamber at 4:49 p.m.

The Assembly adjourned at 4:50 p.m.

