

The Assembly met at 13:30.

Prayers

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Ms. Draude:** — Thank you, Mr. Speaker. I have a petition to present again today regarding the EMS (emergency medical services) report:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to not implement the consolidation and centralization of ambulance services as recommended in the EMS report and affirm its intent to work to improve community-based ambulance services.

The people that have signed this petition are all from Rose Valley, Mr. Speaker.

**Mr. Stewart:** — Thank you, Mr. Speaker. I rise to present a petition signed by citizens concerned with the condition and the capacity of the Avonlea dam. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to reconstruct and expand the Avonlea dam to meet current water supply demands, allow for sufficient water supply to accommodate proposed economic developments, and reduce flooding that has caused significant hardship in previous years.

And this petition is signed by individuals from the communities of Rouleau, Avonlea, Ogema, Briercrest, Hearne, Bengough, and Spring Valley.

I so present.

**Mr. Wall:** — Mr. Speaker, I rise again on behalf of citizens of both the city of Swift Current and communities across the southwest regarding the state of the hospital in Swift Current. Mr. Speaker, the prayer of the petition reads as follows:

Wherefore your petitioners will humbly pray that your Hon. Assembly may be pleased to cause the provincial government to carefully consider Swift Current's request for a new hospital.

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

The petitions today, Mr. Speaker, from the southwest are signed by residents of Swift Current, from Vanguard, Waldeck, Tompkins, Wymark, Shaunavon, and Hodgeville.

I so present.

**Ms. Bakken:** — Thank you, Mr. Speaker. I rise today to present a petition on behalf of citizens of Weyburn-Big Muddy who are concerned about the proposals contained in the Fyke report. And the prayer reads:

Wherefore your petitions humbly pray that your Hon. Assembly may be pleased to take the necessary steps to ensure that services are maintained at least at their current level at Weyburn General Hospital, Bengough Health Centre, Radville Marian Health Centre, and Pangman Health Center in order that accessible health care services are available to residents of the Weyburn-Big Muddy constituency and beyond.

And the petition is signed by residents of Bengough.

I so present.

**Mr. McMorris:** — Thank you, Mr. Speaker. Mr. Speaker, I have a petition regarding 35 Highway. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to make the necessary repairs to Highway No. 35 in the Indian Head-Milestone constituency in order to prevent injury and loss of life, and to prevent the loss of economic opportunity in the area.

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

Mr. Speaker, this petition is signed by people in the Fort Qu'Appelle, Edgeley, and Qu'Appelle areas.

I so present.

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I have a petition today to present on behalf of the southeast Saskatchewan ambulance services.

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to not implement the consolidation and centralization of ambulance services as recommended in the EMS report and affirm its intention to work to improve community-based ambulance services.

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

These petitions, Mr. Speaker, come from the communities of Storthoaks, Maryfield, Redvers, Fertile, Antler; Reston, Manitoba; Bellegarde, and Alida.

I so present.

**Mr. Weekes:** — Thank you, Mr. Speaker. I rise again today to present a petition from citizens calling for immediate implementation of a province-wide 911 emergency service. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause government to fulfill its promise to the people of rural Saskatchewan by immediately implementing the 911 emergency telephone system province-wide.

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

Signed by the citizens from Blaine Lake and Battleford.

I so present.

**Mr. Bjornerud:** — Thank you, Mr. Speaker. I have a petition opposed to the possible reduction of health services in Kamsack. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary steps to ensure that health care services in Kamsack Hospital be maintained at its current level of service at minimum, with 24-hour acute care, emergency and doctoral services available.

The petitioners, Mr. Speaker, are from the communities of Kamsack, Veregine, Runnymede, and Cote.

I so present.

**Mr. Brkich:** — Mr. Speaker, I have a petition here with citizens opposed to possible reduction of services at Davidson and Craik health centres.

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary steps to ensure that the Davidson and Craik health centres be maintained at their current level of service at a minimum, with 24-hour acute care and emergency and doctor services available, as well as lab, public health, home care, and long-term care services available to the users from the Craik and Davidson area and beyond.

As in duty bound, your petitioners will ever pray.

Signed by the good citizens from Davidson and Regina.

I so present.

**Mr. Hart:** — Thank you, Mr. Speaker. I too have a petition to present on behalf of concerned citizens. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to not implement the consolidation and centralization of ambulance services as recommended in the EMS report and to affirm its intent to improve community-based ambulance services.

As in duty bound, your petitioners will ever pray.

And the signatures to this petition, Mr. Speaker, come from the communities of Wynyard and Foam Lake.

I so present.

**Mr. Allchurch:** — Thank you, Mr. Speaker. Mr. Speaker, I again rise in the Assembly to bring forth concerns about our health system in Saskatchewan. And the concerns are raised by the citizens of Shellbrook-Spiritwood.

Wherefore your petitioners humbly pray that your Hon.

Assembly may be pleased to cause the government to abandon any plans to reduce the current levels of available acute care, emergency, and doctor services.

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

And the signatures on this petition, Mr. Speaker, are from Rabbit Lake, Spiritwood, and also from Prince Albert.

I so present.

**Mr. Peters:** — Thank you, Mr. Speaker. I have a petition signed by folks from the province concerned about the high energy costs. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to use a portion of its windfall oil and gas revenue to provide a more substantial energy rebate to Saskatchewan consumers.

Mr. Speaker, the petition is signed by folks from Neilburg, Marsden, and Waseca.

I so present.

**Mr. Huyghebaert:** — Thank you, Mr. Speaker. Mr. Speaker, I have a petition from concerned citizens with reference to the ambulance service in rural Saskatchewan. And the petition reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to not implement the consolidation and centralization of ambulance services as recommended in the EMS report and affirm its intent to work and improve community-based ambulance services.

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

And, Mr. Speaker, the signators on this are from Regina and Rockglen.

I so present.

**Mr. Hillson:** — Thank you, Mr. Speaker. This afternoon I present petitions concerning the issue of the restoration of old government house in Battleford. The prayer of relief reads as follows:

That your Hon. Assembly may be pleased to designate the restoration of Territorial House in Battleford as a centenary project and provide the necessary funds to complete the project prior to the 2005 Saskatchewan centennial.

Your petitioners come from the town of Battleford.

I so present.

#### READING AND RECEIVING PETITIONS

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

Petitions of citizens asking the government to make necessary repairs to Highway 35 in the Indian Head-Milestone constituency;

And 11 other petitions that are tabled and received as addendums to previously tabled petitions.

#### NOTICES OF MOTIONS AND QUESTIONS

**Mr. Brkich:** — Thank you, Mr. Speaker. I give notice that I shall on day no. 61 ask the government the following question:

To the minister responsible for SERM: how many land sharing agreements does your department have in place with Ducks Unlimited; and what are the details of these agreements; and how much land does this affect?

Thank you.

**Mr. Hillson:** — Thank you, Mr. Speaker. I give notice that on day 61 I shall ask the government the following question:

To the minister responsible for the Workers' Compensation Board: in the year 2001, how many workers were granted independence allowances to date; and (2), what was the cost?

#### INTRODUCTION OF GUESTS

**Hon. Mr. Belanger:** — Mr. Speaker, to you and through I want to introduce a very special group of visitors from St. George's Hill, northern Saskatchewan. They travelled many, many miles to be here, and they're in your gallery, Mr. Speaker.

It gives me great pleasure as their MLA (Member of the Legislative Assembly) to introduce them. And with the number . . . with the 12 students . . . that are from grades five to nine, we have the teachers that have done a lot of work with them, Mr. Evan Gillis, and Mr. Peter MacKay. And the chaperones are Ms. Donna Janvier, and Ms. Sadie Bekkattla.

And they've travelled all the way from St. George's Hill, as I mentioned. It's a tremendous distance, and I want to thank them all for coming here and to introduce them to the Assembly, and ask all my colleagues to please join the group from St. George's Hill.

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

**Mr. McMorris:** — Thank you, Mr. Speaker. To you and through you to the rest of the Assembly, I'd like to introduce grade 4 students from the school of Montmartre who made the trip in this morning, and have travelled to many different sites in Regina, and I think they've enjoyed their trip so far.

I had a chance to meet with a few . . . with them just before we came into the Assembly and I said that my meeting would probably be easier before they see question period than it would have been after question period.

So I'd like to introduce the bus driver, Nadine Jensen; a number of the moms and chaperones, Deanna Seitz, Wanda Lang, Sharon Hewalo, Wanda Latusus, Kathy Dusyk, and Colleen

Fink, and teacher Sandra Brown.

I hope you enjoy the proceedings today and would ask all members to welcome them here.

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

**Hon. Mr. Nilson:** — Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the legislature, 24 students from Davin School in Regina Lakeview. This school is located not that far from the legislature so they come and visit fairly regularly. These students are sitting in the west gallery and they're accompanied by their teacher, Mrs. Wynne Edwards.

I think the good thing to note and to celebrate with these young people and their teacher is the fact that the kind of work that was done in the legislature to firm up the foundation is also the kind of work that is going to be done at their school to preserve another historic landmark in Saskatchewan. And we would like to all welcome them here in the legislature.

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

**Hon. Mr. Trew:** — Thank you, Mr. Speaker. Mr. Speaker, today I have two separate introductions to make but I will make them separately.

There's four people seated in the west part of the Speaker's gallery. I have from Calcutta, India — we have Basanti Ghosh; we have from New Delhi, Shikha Majumdar; from Yorkton, Indra Datta; and accompanying them is the Yorkton . . . also from Yorkton, is Mary Ann Federko, who is the president of the Yorkton and District Labour Council.

I ask all hon. members to help me make these four special guests welcome today.

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

(13:45)

**Hon. Mr. Trew:** — Also, Mr. Speaker, in your gallery I have from ACTRA (Alliance of Canadian Cinema, Television and Radio Artists), I have the president of ACTRA Saskatchewan, Chris Scott from Regina. We have also from Regina, Mike Burns, who is the national councillor for ACTRA Saskatchewan; Bill Siggins is the branch representative for ACTRA Saskatchewan. And visiting us from BC (British Columbia) we have Dan Goy, who is relatively new at his new position, which is that of ACTRA national organizer for Western Canada.

I ask all members to join me in welcoming these four special people from ACTRA.

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

**Hon. Mr. Serby:** — Thank you very much, Mr. Speaker. I too want to join with my colleague from Coronation Park in welcoming our constituents from Yorkton here and their associates from Calcutta.

I want to say to you, Mr. Speaker, that in particular my two constituents, Marianne Federko and Indra Datta, are very active people in our community. It can be said on many occasions, particularly around the multicultural organizations, can be said around community work, the volunteer work that needs to be done in our community, you can always find these two people involved in what needs to be done helping communities and families.

So I want to welcome them to the Assembly as well this afternoon on behalf of the constituency of Yorkton.

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

## STATEMENTS BY MEMBERS

### South West Terminal

**Mr. Elhard:** — Thank you, Mr. Speaker. Mr. Speaker, I would like to speak today to the Assembly about another very successful business venture in the constituency of Cypress Hills.

South West Terminal is located along the No. 1 Highway east of Gull Lake. This terminal is primarily owned by farmers in partnership with Cargill Grain.

The mission statement of this terminal is to maximize profit through impeccable business practices, innovation, and outstanding service. And this team of enthusiastic employees has certainly lived up to their mandate.

The staff at South West Terminal has doubled from 12 to 24 employees. Profits have grown from \$700,000 during the first year of operation, to over two and a half million dollars this year before taxes and dividends.

The terminal has handled approximately 350,000 metric tonnes of grain. And 25 per cent of the durum in that amount has found its way to pasta plants south of the border.

General manager Mark Schell, in co-operation with the board of directors, has been instrumental in implementing several new programs at the terminal. It's the first inland terminal to offer a street malt program, and just recently they've entered into a contract agreement with Anheuser Busch.

Grain producers along the former Noteku/Altawan line may now take advantage of a new producer car program administered by Great Western Rail company. Now this program offers a viable alternative for the producers of the south line to haul their product by rail as opposed to shipping by truck to the No. 1 Highway.

Perhaps the most impressive statistic I can share with you today, Mr. Speaker, is that this terminal is now the third largest terminal in the province of Saskatchewan.

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

### More Good News for Saskatchewan

**Mr. Wartman:** — Thank you, Mr. Speaker. Yesterday the

member from Regina Dewdney quoted I believe 60 good news stories about the Saskatchewan economy; clear rejection of the contentions voiced by the gloomy mugwumps, the nabobs of negativity that we see sitting opposite. But here's one he missed, Mr. Speaker, because it just came out today.

The Conference Board of Canada released its provincial outlook for the spring of 2001. What does it have to say about Saskatchewan? As my friend would say, more good news for Saskatchewan.

Saskatchewan's economy, the board says, is weathering the slowdown in the North American economy with GDP (gross domestic product) forecast to grow by 2.5 per cent this year and 2.9 per cent in 2002. The board anticipates the real output in Saskatchewan's goods-producing sector will grow by 2.9 per cent in 2001 — a full percentage point above the national average, Mr. Speaker.

Let me say very slowly, very clearly, the eighth and ninth straight years of growth in Saskatchewan. Some death spiral, eh, Mr. Speaker.

The forecast also predicts that manufacturing will beat the national average and is very optimistic about growth in mining, construction, and personal disposable income. This report mentions favourably several megaprojects including the synchrotron.

Thank you, Mr. Speaker.

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

### Expanded Role of Farm Women

**Ms. Draude:** — Thank you, Mr. Speaker. Well the results are in, and while the members opposite are not going to like this, we have to say it: there is more bad news for Saskatchewan farm families. A recently released report gives a clear indication of just how far the effects of the agriculture crisis has reached here in this province.

Mr. Speaker, in today's *Leader-Post* the report says that farm women have become the glue that holds the family farms together by taking off-farm jobs in addition to their unpaid farm and household work. Forty per cent of farm women work more than 13 hours a day doing 80 per cent of the household work, 75 per cent of the bookkeeping, 21 per cent of field operations, and 17 per cent of equipment repairs. And more than half of them surveyed work off the farm.

In addition to the amount of work that they do, these women also manage to find time to volunteer for various activities in their community and provide care to their family and farms due to inadequate health services.

Mr. Speaker, not surprisingly the expanded roles of these women is taking a toll on them. Sixty-eight per cent of women report they are also stressed over financial problems. The declining number of rural hospitals is also having a negative impact on farm families.

I know that all women have busy, stressful life, Mr. Speaker,

but in light of this recent report and given the information surrounding farm women, the members on this side of the House want to know if the members on the opposite side of the House have seen the report and, more importantly, what plans do they have to address the issues.

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

#### **Saskatchewan Electronic Tax Service for Businesses**

**Mr. Addley:** — Mr. Speaker, the headline reads, quote: “Government cuts red tape for businesses.”

Today I’m pleased to draw the attention of this House to a new e-filing system for taxpayers, our government’s latest step in a continual process to reduce red tape, which has seen regulations for Saskatchewan businesses drop by 22 per cent since 1996.

Our government recently launched the Saskatchewan electronic tax system, also known as SETS (Saskatchewan Electronic Tax Service). This technological innovation will greatly help the Saskatchewan business community. The e-filing system will allow Saskatchewan businesses to file and pay a variety of taxes, such as PST (provincial sales tax), over the Internet.

The system was developed by the revenue division of Saskatchewan Finance in conjunction with the Minister Responsible for the Information Highway. On-line filing will save Saskatchewan entrepreneurs both time and money since the new Internet system reduces tax-related paperwork.

Mr. Speaker, our government is committed to promoting business-friendly environments. The e-filing system is a concrete example of how government is working to reduce red tape for Saskatchewan businesses and residents.

The Saskatchewan electronic tax system is the first of its kind in the country, evidence that yet again our province is leading the way.

Thank you, Mr. Speaker.

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

#### **Students Ponder Future in Saskatchewan**

**Mr. Hart:** — Thank you, Mr. Speaker. As you know, Mr. Speaker, yesterday the grade 12 class from Robert Southey School were present in the east gallery and watched question period.

Later in the afternoon I met with the students and we talked about the procedures of this Assembly and the duties of its members. The students were particularly interested in the dynamics of question period and we discussed it at some length.

We also talked about their future plans, and many of these students will be furthering their education at one of our post-secondary institutions. Only one student will be attending a private college outside of Saskatchewan.

However, when I asked the students where they thought they’d be working after they completed their education, a large

majority, Mr. Speaker, indicated that they’d be working in Alberta. When asked why, a young lady answered: there are no jobs and no future for us in Saskatchewan.

The Premier can tell us to up our attitude, but the reality of 21,000 lost jobs is driving our young people out of the province, Mr. Speaker.

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

#### **Common Weal Community Arts Inc.**

**Mr. McCall:** — Thank you, Mr. Speaker. One of the things that distinguishes a community from a loose collection of individuals is the sense of unity that arises from having a known and recorded collective history. And one of the reasons that I am proud to represent the people of Regina Elphinstone is that it is a community which is consciously striving to ensure that its history is preserved and celebrated through story, through art, through drama, through community action.

In particular today I want to bring to the attention of this Assembly an organization working in Elphinstone that is promoting community development and social change — Common Weal Community Arts Inc. got its start in 1992 helping to create a community play in Fort Qu’Appelle called *The Gathering*. This was followed by a play which many of us saw called *A North Side Story or Two*, a musical drama about life in the neighbourhoods and on the streets of north-central Regina. It was written and performed by the actors themselves, Mr. Speaker, residents of our community, and it was great — good stuff.

This season Common Weal is continuing its work for positive social change through the arts by just last week sponsoring an Aboriginal youth playwright festival at Scott Collegiate and by planning a summer improv theatre program called Urban Quest, which begins Thursday.

Mr. Speaker, Common Weal makes an important contribution to the common good in our city. And I am proud that Sask Water is, and Sask Culture are contributing to its success. Thank you, Mr. Speaker.

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

#### **Humboldt Cadet Corps Celebrate 42nd Annual Awards Ceremony**

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, the Humboldt Legion Royal Canadian Cadet Corps No. 572, recently held their 42nd annual ceremonial review. The program consisted of the fall-in of cadets and presentation of awards.

Three trophies were presented. The top recruit went to Robert Andrew, the dress and deportment award to Tim Eichinger, and the CO (Commanding Officer) trophy to Kristen Athmer.

Major Penner, who is a cadet liaison officer and print production supervisor at the University of Saskatchewan, was in attendance to conduct the inspection. Major Penner was very impressed with the number of cadets, more specifically the

number of new cadets to bring in. In his words: 14 new cadets showed the good quality of the program. He said, cadets is a wonderful organization with good training and an opportunity for travel.

Corps commander, Kristen Athmer, a cadet for four years, says the best part of being a cadet is the travelling. She has already gone to Whitehorse twice in the last few years.

The cadets have a training session from October through June and meet once a week for a session that includes lessons, lectures, and drills, among other activities. Besides the training there are weekend exercises, orienteering, and camp-outs for cadets.

Congratulations to the award winners, and as well congratulations Humboldt cadets for a very fine program.

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

## ORAL QUESTIONS

### Strike by Health Care Workers

**Mr. Gantefer:** — Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Health.

The current labour dispute between CUPE (Canadian Union of Public Employees) and SAHO (Saskatchewan Association of Health Organizations) is having a very serious effect on patient care in this province. All areas of the health system are being negatively affected.

Surgical waiting lists in Saskatchewan, already the longest in Canada, are growing with each passing day as elective surgeries are cancelled. Even urgent surgeries such as those for people facing invasive cancer are affected. The government's own press release yesterday says the capacity to perform these urgent surgeries is limited.

Mr. Speaker, will the minister tell this House how many elective surgeries have been cancelled in this province to date and how many people are waiting in this province today for surgery that is deemed urgent?

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

**Hon. Mr. Nilson:** — Mr. Speaker, at the present time there is a discussion going on between CUPE and SAHO along with a mediator, and they are attempting to resolve these labour difficulties that are causing us to use alternate plans in the health system.

And what I would say is we want to encourage these people to resolve their difficulties so that the system can go back into place to provide the services that are needed.

And what we know is that there are surgeries that are being delayed because of this, because their staff aren't there. And we are going to continue to monitor that situation, make sure that those kinds of cases that need to be dealt with right away are dealt with right away.

But what we really want is for all of the people to get back to work after they have resolved their differences.

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

**Mr. Gantefer:** — Mr. Speaker, the continued cancellation of elective surgeries and the delay of urgent procedures will only serve to lengthen surgical waiting lists. And many people whose hip replacement, for an example, is considered elective, believe that their quality of life will be further jeopardized by the wait.

But of greater concern is those people needing an MRI (magnetic resonance imaging) or diagnostic services or timely surgery because of a potentially life-threatening condition. In many cases, it is the gift of time that allows them to beat their disease and with each day the strike continues, that time disappears.

Mr. Speaker, to the minister. We know the province has made arrangements with out-of-province health care facilities to provide some health services. How many patients have been sent out of province to out-of-province hospitals for treatment or surgery since this strike began?

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

(14:00)

**Hon. Mr. Nilson:** — Mr. Speaker, we're all very concerned about the people who require help. As of the last report that I have, which was late yesterday afternoon, there were eight people that were transferred out of the province.

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

**Mr. Gantefer:** — Thank you, Mr. Speaker. Mr. Speaker, Saskatchewan Party MLAs, and I'm sure all members of this House, have received numerous calls of concern from families whose relatives are in long-term care, that have been moved to another facility in another home or facility in a great distance away. Some families received little or no prior notice of the move. In many cases the families believe the health of their family member have deteriorated because of the move.

Mae Uhrich wrote to her health district after she was told her mom would be moved in less than 24 hours. Her letter states, and I quote:

We feel that the transfer is going to be detrimental to her health, it may even end her life. This is not humane treatment of our seniors.

Mr. Speaker, will the minister tell us how many patients have been moved to date from their regular long-term care home to other facilities? And how many have actually been moved to homes in other districts or other provinces?

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

**Hon. Mr. Nilson:** — Mr. Speaker, as I said before, we're all concerned about the people whose lives have been disrupted by this labour dispute. And we are working towards getting a

resolution of that as soon as possible.

But one of the things I would like to say is I would like to thank those members of CUPE who are doing some of the essential services. I want to thank the volunteers, the-out-of-scope people, all of those who have worked together to provide care for people.

And I also would want to emphasize the fact that when people are moved, as the member has asked about, this is being done in a way where one community helps another community; other groups of people help those ones where there just isn't enough support. And what we need to do is recognize that there will be disruptions but that people are working together to do this.

What we are going to do is work with all the people involved to get a solution that allows us to have our system back in order.

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

**Mr. Gantefoer:** — Thank you, Mr. Speaker. Mr. Speaker, the government press release yesterday states that there are approximately 4,700 long-term care residents in the province that are affected by the strike and 1,600 of those who are not mobile.

Some of the volunteers and family members who have called us are expressing grave concern about the condition of these residents. There are reports that some of the immobile patients haven't been moved or turned. Their basic care needs aren't being met, and in some cases, they aren't being fed regularly. The government press release states that in some districts meals have been reduced to two per day.

Mr. Speaker, this is unacceptable. It is clear that the health system is not providing for the basic care needs. Mr. Speaker, what we are hearing from the public is that the existing level of service is clearly unacceptable and people are being placed at risk.

Mr. Speaker, what is the Minister of Health prepared to do to protect the health of Saskatchewan people who rely on the health system for their daily existence?

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

**Hon. Mr. Nilson:** — Mr. Speaker, the parties are working together with a mediator right now to sort out the problems between them. The Department of Health and all of the health districts are working to monitor the situation to provide the care that's needed. There's a request for volunteers to come and help in those places where that's necessary.

What I would say is that the Saskatchewan people work together in the spirit of co-operation when there are issues that need to be dealt with. Many people are doing that. What we don't need is for further political debate in this particular place to exacerbate the situation so that the parties cannot resolve the matter.

We are very concerned about all of the people who are suffering in this particular situation, but we're also working with the health districts and with all of the others who are helping them

to make sure that the best care can be provided for all the people.

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

**Mr. Gantefoer:** — Thank you, Mr. Speaker. Mr. Speaker, I received a phone call at home at 7 o'clock this morning from a lady who had just come home from providing care for her mother in a long-term care home over the last three days.

She says the situation is progressively deteriorating. None of her mother's basic requirements are being met. Her mother wasn't being properly fed, washed or turned. And after three days of trying to do her best and help, this lady is exhausted and had to go home for a rest.

As well intentioned as volunteers and family members are to provide care for elderly patients, they simply aren't trained or equipped to provide the level of care that is adequate. Each day as this labour dispute continues, the health of patients is going to get worse.

Mr. Speaker, does the minister realize that the health system is near its breaking point? Will the minister do something instead of just sitting back and monitoring the situation?

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

**Hon. Mr. Nilson:** — Mr. Speaker, Mr. Speaker, in this particular situation, what we know is that all of the people have to work together to provide the kind of care that people need when you're in extenuating circumstances. And what we will continue to do is work with the health districts. We'll work with all of the employees who are there, and we'll work with the volunteers and others to provide the care that we, that we need.

But we are continuing to monitor the situation because we don't want to be in a situation where there are people who are in danger. And so what we will continue to do is work with the districts, work with the other managers. And we are hopeful that the parties can resolve their differences so that the normal workers can get back to their jobs.

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

**Mr. Gantefoer:** — Thank you, Mr. Speaker. Mr. Speaker, call after call to our offices from volunteers who are exhausted, family members who are extremely concerned about the health of their relatives, and people in general, relay the message that the situation in our health care facilities because of the strike is critical. They say the health of the long-term care patients they care for is deteriorating. They say that the situation simply can't go on much longer.

Mr. Speaker, the two sides in this dispute are in mediation and we hope that they seriously attempt to reach a deal as soon as possible. In the meantime though, this Minister of Health is ultimately responsible for the health system in this province and he must take responsibility.

Mr. Speaker, has the minister spoken to the union as we asked him to do yesterday and encouraged them to send people back to work while mediation takes place?

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

**Hon. Mr. Nilson:** — Mr. Speaker, what this minister and this government believes in is using the processes that are appropriate to resolve disputes. And that is happening right now. We will not interfere in that process no matter how many times that member asks me to do that. Because that's exactly the wrong way to sort out these kind of things. The parties need to work together using the appropriate processes.

We are very concerned about all of the people in Saskatchewan, but we are going to support the systems that we have to resolve labour disputes. And we will continue along that path.

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

**Mr. Gantfoer:** — Thank you, Mr. Speaker. Mr. Speaker, the union said yesterday that they would assess the situation and determine whether critical services were needed. It is clear from the public calls that they certainly are.

But today the union has told the Regina Health District that they will not be sending any of their members back to work to help in this situation. The health strike is hitting our most vulnerable people — our senior citizens and the severely disabled — the hardest.

Family members are very distressed that they aren't able to provide the kind of care that their loved ones need and they believe that their health is at risk. They want to know how much longer this is going to go on. Mr. Speaker, we sincerely hope this mediation will be successful, but families are asking how long it might take.

Mr. Speaker, has the minister given Mr. Ready a deadline to mediate a settlement before the government considers further action?

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

**Hon. Mr. Nilson:** — Mr. Speaker, it appears that the line of questions that the member is asking shows that he doesn't understand how these processes work.

What we need to know is that the parties are resolving the issues that are between them at the bargaining table. There is an agreement between CUPE and SAHO around providing essential services and they are working at that process and they are providing help in some areas. They are continuing to monitor that as well, in the sense that the health district officials do work with local CUPE people to get them back in places where they are needed.

What we do know is that there are stresses on the whole system. There are people that are suffering and we're concerned about that. But what we want is to have this process resolved by mediation.

Mr. Ready, the mediator, has only been here since last night. Let's give him some time to work on this and we will then get a solution.

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

**Mr. Gantfoer:** — Mr. Speaker, the people of this province who are having to cope with the pressures that are being placed on their family's health — their parents and grandparents — are not going to put up forever with this minister's ineptitude in monitoring the situation.

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

**Mr. Gantfoer:** — Mr. Speaker, if the situation we're currently in isn't bad enough, we also know that there are further walkouts potentially facing the health care system. SEIU (Service Employees' International Union) is in the midst of considering further job action. And, Mr. Speaker, as you well know, the communities that are neighbours that the minister talked about that are helping out are neighbours that are also under SEIU contracts.

Mr. Speaker, at the rate this minister is going with his ineptitude and monitoring of this situation, before we know it, there's going to be another strike on our hands. What is the minister going to do to assure the people of this province that he has any clue what's going on?

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

**Hon. Mr. Nilson:** — Mr. Speaker, what the people of this province do not appreciate is when the members opposite take joy in the fact that people are off work and people are suffering.

I think that I should remind the member of what he said on March 27 of this year. He said:

Thank you, Mr. Speaker. Mr. Speaker, doesn't the minister understand that what we're concerned is about health care professionals, not about administrators and janitors.

That's a quote. Mr. Speaker, that member has said on a number of occasions that these people who are very important to the health system don't matter.

We don't believe that on this side, and we would ask that member to be supportive of the processes that allow labour disputes to be resolved so that we can get on with providing good care in this province.

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

### Investments by SaskTel

**Mr. Wall:** — Thank you, Mr. Speaker. Mr. Speaker, my question is for the minister responsible for the Crown Investments Corporation.

Mr. Speaker, the NDP (New Democratic Party) Crown corporation spending spree continues. Three years ago the NDP government in British Columbia — I'm not sure if they're still an NDP government in British Columbia — but the then BC NDP government privatized, the NDP in BC privatized a company called WestTel, which was a telecommunications branch of their Crown corporation BC Rail.

The Saskatchewan Party has learned that our NDP government is now actively trying to purchase WestTel in British Columbia.

In fact, we've heard that a memorandum of understanding has already been signed.

Mr. Speaker, has the NDP government purchased WestTel? How many Saskatchewan taxpayer dollars are the NDP spending to buy up a BC telecommunications company?

**Hon. Mr. Sonntag:** — Thank you very much, Mr. Speaker. First of all I could recite again all of the good investments that SaskTel has made and returned much good dividends to the people of Saskatchewan, Mr. Speaker.

Mr. Speaker, I am advised in this particular situation that the only overtures that have been made to Crown Investments, to SaskTel specifically, have been from that company but there's been no overtures by SaskTel directly.

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

(14:15)

**Mr. Wall:** — Thank you, Mr. Speaker. Well, Mr. Speaker, that's a little different than the president of SaskTel testified at the Standing Committee on Crown Corporations not long ago. Mr. Speaker, SaskTel president, Don Ching, confirmed for the committee that SaskTel is actively — actively — pursuing the purchase of WestTel. That's what he said.

Mr. Speaker, has SaskTel signed a memorandum of understanding to purchase WestTel? If so, how much is the deal worth?

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

**Hon. Mr. Sonntag:** — Again, Mr. Speaker, I'm advised that the only overtures that have been made have been made by the company to CIC (Crown Investments Corporation of Saskatchewan) and specifically SaskTel. SaskTel has not been actively pursuing this in any way, Mr. Speaker, and to this point in time I specifically advise that there has not been a memorandum of understanding signed.

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

**Mr. Wall:** — Thank you, Mr. Speaker. Mr. Speaker, here's the verbatim transcript from the Standing Committee on Crown Corporations meeting held on May 24 when I had the opportunity to question Mr. Ching about the interests of SaskTel in WestTel. And here's a quote he says. Here's a quote that Mr. Ching offered to us in answer to the question about their interests in this company. He said:

I can tell you that there are ongoing activities related to this particular issue . . . But those discussions (that sounds like two parties speaking, Mr. Speaker) but those discussions are ongoing and active at the present time.

That's what he said. So the question is simple, to the minister, Mr. Speaker. Who's right? Is the minister right or is the president of SaskTel right?

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

**Hon. Mr. Sonntag:** — Thank you, Mr. Speaker. If the member says a discussion has occurred when somebody talks to SaskTel, we don't usually not respond. So in responding, I guess a discussion has occurred, Mr. Speaker.

Mr. Speaker, I'm advised that any overtures that have been made have been made from their company and not from SaskTel directly, Mr. Speaker. And as always, Mr. Speaker, we are looking to investments inside and outside of Saskatchewan, to spread risk, to earn revenues for the people of Saskatchewan, Mr. Speaker, and in fact to be able to reduce and maintain the lower rates that we currently enjoy here in Saskatchewan.

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

**Mr. Wall:** — Thank you, Mr. Speaker. This is truly amazing. Only a few weeks ago, on May 24, and I just read it for the minister here. Mr. Ching said, the president of SaskTel said:

. . . those discussions are ongoing and active at the present time.

The minister just got up and said they're not having any discussions. So the question still hasn't been answered: who is right. Mr. Speaker, Don Ching said SaskTel is looking at buying WestTel. They looked at it three years ago but they didn't do it then. Why, Mr. Speaker? Because it was worth too much money at the time.

However, since then, it's devalued to the point that SaskTel can now afford it. That's an interesting investment strategy. The company is becoming more and more worthless, so now's the time to buy it, Mr. Speaker. That's the same strategy they used with Clickabid, unfortunately take the value down to absolutely nothing, Mr. Speaker.

Mr. Speaker, the president of SaskTel has confirmed they're discussing the purchase of this telco. How much will the NDP be paying for this devalued company and how do they know that the devaluation is finished?

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

**Hon. Mr. Sonntag:** — Mr. Speaker, as I've pointed out a number of times, our Crown corporation has earned some \$170 million in revenues for the people of Saskatchewan. We will continue to have discussions with a variety of companies in order, Mr. Speaker, to continue to add to those revenues.

With respect to the company that he's referring to, I'm advised, Mr. Speaker, that we were, we were the ones who were originally approached. We will obviously carry on discussions with them as they continue to make overtures to us. Why wouldn't we if it's a good investment?

There have been no formal proposals brought to the Crown Investments Corporation Board or to cabinet, Mr. Speaker. Mr. Speaker, we will clearly as I've said, with any investment, do due diligence. We will contrive to earn additional revenues for the people of Saskatchewan.

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

**Mr. Wall:** — Well, Mr. Speaker, I think Saskatchewan people on hearing that the minister will apply due diligence to this deal — NDP due diligence — I think taxpayers all over the province are a little scared at the prospect of NDP due diligence.

Mr. Speaker, in the last 12 months the NDP's economic development disaster strategy has killed 21,000 jobs in the province. And what's their plan to turn it around, Mr. Speaker? Well they want to buy an insurance company in Ontario, they buy a streaming audio/video company in Nashville, they buy a farm equipment Web site in Ottawa, and now they're buying apparently or discussing the purchase of a telco in British Columbia.

The NDP is using taxpayer dollars to employ people all over North America; meanwhile we're hemorrhaging jobs right here in Saskatchewan, Mr. Speaker.

Mr. Speaker, how do any of these out-of-province purchases create new jobs in Saskatchewan?

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

**Hon. Mr. Sonntag:** — Again, Mr. Speaker, as I've said our company, SaskTel and its subsidiaries, have earned much revenues for the people of Saskatchewan, Mr. Speaker, and they will continue to do that.

Mr. Speaker, as I've said again, we've been approached by this company to consider investments. And we make no secrets about that; it was talked about that in the Crown Corporations Committee, Mr. Speaker. To this point in time there have been no proposals brought to the CIC Board or to cabinet, Mr. Speaker.

In the chance that I may not be able to get up and speak again — you may not ask me another question — I want to report something else, Mr. Speaker. We've been talking about leaks lately. Well I heard there was a leak this morning, Mr. Speaker. I think maybe it came from CKSA or CKSW radio this morning.

The question they asked me, amongst a number of other ones, was whether or not the member from Swift Current was interested in leadership of the Saskatchewan Party, Mr. Speaker.

Mr. Speaker, I thought, you know, it probably wasn't my place to answer it. I thought it highly unlikely that the member from Swift Current would want to lead a party that's likely going to stay in opposition for a long, long time yet, Mr. Speaker.

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

**Mr. Wall:** — Mr. Speaker, what the minister didn't know of course is that the radio station, the people in the newsroom at the radio station who are good friends, were pulling his leg. In fact they played his interview for us at our office and it was played for me on the drive into Regina.

The problem is, is what they were looking for was a serious answer to what they knew was a ridiculous question. But when they got on to serious questions, all the minister had was

ridiculous answers, Mr. Speaker.

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

**Mr. Wall:** — This was such a leak that they leaked it straight to the front seat of the Honda Accord I drive, Mr. Speaker.

Mr. Speaker, quickly to the minister. The government . . . we've demonstrated clearly that the province has lost the greatest number of jobs since the Great Depression — 21,000 jobs have been lost. How does the purchase of companies outside the province of Saskatchewan and the protection of jobs in Ontario and Nashville do anything for the economy of the province of Saskatchewan?

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

**Hon. Mr. Lautermilch:** — Well, Mr. Speaker, if members of the opposition can control themselves, if they can calm themselves for a couple of minutes, I want to talk about a purchase of an out-of-province company myself.

And I want to talk about that member negotiating a \$150,000 grant to bring to this province, to this province, the Country Music Hall of Fame to be situated in his hometown, Swift Current.

Now, Mr. Speaker, this master of due diligence negotiates a grant from his minister when he worked as a ministerial assistant. Then he leaves the employ of the minister, Mr. Speaker, after doing all this due diligence and goes to be the manager of the Country Music Hall of Fame in Swift Current. And do you want to know something, Mr. Speaker? He said they were going to bring in 34,000 visitors a year.

But you know what happened, Mr. Speaker? It turned out that less than 3,000 people bothered to attend. The place went broke after his due diligence. Now that's bringing a company from out-of-province into the province. What due diligence? What credibility?

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

## INTRODUCTION OF BILLS

### **Bill No. 220 — The Legislative Assembly and Executive Council Amendment Act, 2001 (Votes of Confidence)**

**Mr. McMorris:** — Thank you, Mr. Speaker. I move first reading of Bill No. 220, The Legislative Assembly and Executive Council Amendment Act, 2001 (Votes of Confidence).

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

### **Bill No. 57 — The Political Contributions Tax Credit Act**

**Hon. Mr. Lautermilch:** — Thank you, Mr. Speaker. I move that Bill No. 57, The Political Contributions Tax Credit Act be now introduced and read the first time.

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

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

#### TABLING OF REPORT

**The Speaker:** — Members of the House, before orders of the day, I have received a copy of the annual reports on operations for the year ended March 31, 2001 from the Provincial Auditor, and I hereby table it.

#### ORDERS OF THE DAY

#### WRITTEN QUESTIONS

**Mr. Yates:** — Thank you, Mr. Speaker. I'm extremely pleased this afternoon to stand on behalf of the government and table responses to written questions 225, 226, and 227.

**The Speaker:** — Responses to 225, 226, and 227 have been tabled.

**Mr. Yates:** — Convert, Mr. Speaker.

**The Speaker:** — Request for conversion of 228.

**Mr. Yates:** — Thank you, Mr. Speaker. I'm extremely pleased to stand on behalf of the government to table written responses to questions no. 229 and 230, Mr. Speaker.

**The Speaker:** — Responses for 229 and 280 are tabled.

#### GOVERNMENT ORDERS

#### SECOND READINGS

##### Bill No. 56 — The Tobacco Control Act

**Hon. Mr. Nilson:** — Mr. Speaker, before I begin with my matter, I ask leave of the Assembly to introduce some guests. Is that possible?

Leave granted.

#### INTRODUCTION OF GUESTS

**Hon. Mr. Nilson:** — Thank you, Mr. Speaker. In your gallery we have Mary Smillie who's president of the Saskatchewan Coalition for Tobacco Reduction; Lynn Greaves who's the advocacy chair for the Saskatchewan Coalition for Tobacco Reduction; Mr. Allyne Knox, Regina citizen who's concerned about this; Dr. Syed Rasul from the Regina Health District; Lisa Williams, Rhae Ann Bromley, Sheila Steer, all from the Heart and Stroke Foundation of Saskatchewan; Joan Reimer from the Saskatchewan Public Health Association; Dr. Thakre from the Canadian Cancer Society, Saskatchewan division; and Eunice Misskey from the Public Health Services, Regina Health District.

We'd like to welcome all of those people here today.

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

(14:30)

#### SECOND READINGS

##### Bill No. 56 — The Tobacco Control Act

**Hon. Mr. Nilson:** — Mr. Speaker, I rise today to introduce tobacco control legislation directed especially toward the young people of this province. Smoking is a major cause of chronic diseases and deaths. In spite of this fact, young people are taking up smoking every day in this province. We are highly concerned about the effect this has on their future and their health.

This legislation reflects our determination to reduce youth smoking while at the same time offering a practical, workable plan for our province. It is important to note that the legislation our government is bringing forward today is just one part of a comprehensive, multi-faceted plan to reduce youth smoking.

I would like to share with you some of the reasons I feel strongly about this issue. I am sure we can all agree that tobacco use, whether it is . . . it be smoking or the use of chewing tobacco is harmful to users. The evidence is overwhelming. Studies by health groups, independent research, even tobacco industry reports provide the proof of its dangers. Smokers subject themselves to increased risk of lung cancer, heart disease, and stroke. They die younger than non-smokers and they are more susceptible to disease.

Even more insidious is the effect smoking has on non-smokers, particularly children. Second-hand tobacco smoke increases the risk of asthma and heart disease. Children exposed to second-hand smoke are more susceptible to health problems — from sudden infant death, to pneumonia, and ear infections.

The dangers should be clear. Still our province's youth don't seem to be getting the message about the harm that smoking will do. According to the latest statistics, almost one in four of our young people smoke. Take a moment to think about what that means — what it means in terms of our efforts to reduce infant mortality; what it means in terms of serious diseases like lung cancer, asthma, and heart disease; what it means in terms of future health care costs; and what it means in terms of our province's future.

It has been said many times that youth are our future. It follows that protecting the health of our province's youth should be high on our list of priorities. I can tell you that protecting our young people from the harmful effects of smoking and from the dangers of second-hand smoke are our number one goals with respect to tobacco control.

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

**Hon. Mr. Nilson:** — To do this it is important that we use all of the tools at our disposal — legislation, education, and prevention. Only through a comprehensive, multi-faceted approach can we reduce our children's exposure to second-hand smoke and the likelihood that they will become smokers themselves.

This legislation will not only clear the air of the harmful effects of second-hand smoke, it will also help to denormalize tobacco use — make it the exception rather than the rule among young

people.

Reducing youth smoking is essential to any effort to reduce tobacco-related illness. Statistics show that 50 per cent of smokers in Saskatchewan began to smoke by the age of 13. If a person reaches the age of 20 without starting to smoke, the likelihood that they will ever take up smoking is greatly reduced.

I know that there may be concerns in some quarters about the restrictions in this Act. We understand the challenges for the hospitality industry, bars and restaurants, and vendors. We call on their co-operation to put the needs of children first.

Think back a few years to the federal government's decision to ban smoking on airplanes. All of the airlines predicted dire consequences, huge losses and empty planes. It hasn't happened. Smokers adjust and non-smokers, who are clearly in the majority now, appreciate the smoke-free atmosphere.

We have taken a reasonable approach that incorporates the following key points: a ban on smoking in enclosed public places where children have access; a requirement for 60 per cent non-smoking seats in restaurants, bars, bingo halls, and casinos implemented in phases and complete by January 1, 2004; a prohibition on the sale of cigarettes to anyone under the age of 18; an increase in penalties for selling tobacco products to minors; and a ban on the display and promotion of tobacco products in places where youth have access and tobacco is sold.

In addition to these legislative measures, we will focus activities across government based on five strategic approaches: to prevent tobacco use; to protect people from tobacco smoke; to enforce tobacco restrictions; to denormalize tobacco use, making it the exception rather than the norm; and to help people quite smoking.

We will launch a media and public information campaign to reach young people with non-smoking messages.

We will work with health districts and health organizations to set and achieve clear goals for reduced tobacco use. We will support district health boards and youth organizations to implement tobacco reduction strategies at the community level.

We will work to ensure that tobacco vendors are fully aware of their responsibilities under federal and provincial laws. We will work with the Department of Education to integrate tobacco education not only in the health curriculum but across other subjects in high school as well. And we will also work together to ensure tobacco education is provided to students in the early and middle years.

Mr. Speaker, it is important that we acknowledge today the importance of the work done by the all-party Special Committee on Tobacco Control. The committee's recommendations form the foundation of this legislation and our overall tobacco control plan. As well, the committee's work has helped to shape public opinion on the issue of smoking and second-hand smoke.

Recent polls indicate strong support for tobacco control in Saskatchewan, including the measures included in this new

legislation.

I want to also acknowledge the many individuals, health districts, and health organizations that continue to work tirelessly to reduce tobacco use. These groups have provided constant encouragement, persuasion, and advice to help us move forward on this important issue. And there are countless individuals who have contributed to gaining public support for measures to address this very serious health hazard.

I want to thank in particular, the Heart and Stroke Foundation, the Lung Association, the Canadian Cancer Society, Students Working Against Tobacco, and the Saskatchewan Coalition for Tobacco Reduction. These groups have been strong advocates for change and that is much appreciated.

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

**Hon. Mr. Nilson:** — Mr. Speaker, today we are standing up for young people and their right to a healthier environment. We're taking a step toward the goal of a tobacco-free society. I hope that all members of the legislature will join us in this important step towards a healthier future for this province. Thank you very much.

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

**Ms. Eagles:** — Thank you, Mr. Speaker. Mr. Speaker, before I begin, I would just like to also recognize those people in your gallery that are here expressing their interest in this Bill. And I would, at this time, also like to thank them again for the input they have had.

I am very privileged to stand in this Assembly today to speak on Bill 56, the Act to control the sale and use of tobacco and tobacco-related products.

Mr. Speaker, as you and all members of this House are aware, I was the Vice-Chair of the Special Committee on Tobacco Control. Members and the citizens of this province are also aware that over the course of approximately one year we travelled throughout the province to hear hundreds of people voice their concerns regarding the use of tobacco. And we all realize the devastating effects tobacco has, whether it be through direct use or second-hand smoke.

Mr. Speaker, members on this side of the House did have concerns regarding how people were notified of the meetings with the committee. Some stakeholders were contacted, others were not.

In fact, during casual conversation with hoteliers and restaurant owners, we asked what they thought and that is when we realized that the food services industry and hoteliers were never contacted as other stakeholders were.

We were somewhat disappointed in that. These are laws that will affect many different people in many different ways, and we should be willing to listen to what all people say — not necessarily agree with them, but nonetheless we should be listening.

Mr. Speaker, the focus of our committee was on youth: how to

get youth to stop smoking, or more importantly, how to prevent them from starting. We have to teach them how it should be deglamourized and denormalized.

And as all members of the committee heard throughout our travels in the province, Mr. Speaker, is that the use of tobacco has some very devastating effects. And I'm sure the other members would concur that . . . for instance, I didn't know that one plug of chewing tobacco had the same amount of nicotine in it as four cigarettes. And just things like that, that were really just unreal to me.

We are very pleased to see this legislation brought forth, targeted at youth, Mr. Speaker. But we feel that the government could have gone one step farther in relationship to part II of the Bill which deals with transactions involving tobacco and tobacco-related products. And also to part V dealing with offences and penalties.

Mr. Speaker, in section (2) the Bill states that:

(2) No person shall furnish tobacco or tobacco-related product to a person who appears to be a very young person unless the person produces, as proof that he or she is 18 years of age or older:

And it goes on to mention the various forms of acceptable identification.

Now, Mr. Speaker, over we go to part V where it states what the fines are if you are caught selling tobacco or tobacco-related products to someone under 18 years of age. And this is where we feel that there must be some responsibility put on the underage purchaser and not just on the vendor.

Many young people, 16- or 17-years-old, are working at the local convenience store, probably their first job, fairly new to the workforce. And these people will be charged or fired or maybe even both, and the person purchasing the tobacco product gets off scot-free. And we just don't feel that this is at all fair or balanced. Some onus must be on the purchaser.

Mr. Speaker, as well many people know that when our final report come out the members on this side submitted a reservation. And this reservation was dealing with the issue of separately ventilated and enclosed areas for those wishing to smoke.

Now, Mr. Speaker, we are very happy that the government took our reservation as valid. And this would have had a very devastating effect on businesses. In fact, Mr. Speaker, many of the people told us that they would have to close their doors. They feel that this issue on top of their skyrocketing energy rates would have driven them right out of the province. And we all know, Mr. Speaker, that we have just seen a 21,000 job-loss figure in this province, and we certainly could not afford that.

So I must say, Mr. Speaker, that those in the hospitality industry said that if the customer wanted them to have smoke-free establishments, they would go that route. And they would go that route because it would make good business sense to do so, not because it was dictated by this government.

Despite the fact, Mr. Speaker, the members on this side of the committee — on this side that were on the committee — we generally agree with the direction the government has taken but we feel it is necessary to study the Bill further to see how specific it is in relating to our final report. So I move to adjourn debate.

Debate adjourned.

(14:45)

#### **Bill No. 50 — The Mineral Resources Amendment Act, 2001**

**Hon. Mr. Sonntag:** — Thank you, Mr. Speaker. I'm pleased to rise in the Assembly today to move second reading of The Mineral Resources Amendment Act, 2001.

Mr. Speaker, on March 30, 2001, the Minister of Finance announced in the provincial budget a temporary 10 per cent non-refundable tax credit that builds on the federal tax credit of 15 per cent announced on October 18, 2000. It will allow investors in eligible flow-through share offerings for exploration activities in Saskatchewan to claim a 10 per cent tax credit in their calculation of Saskatchewan income tax.

The specific amendments, Mr. Speaker, will, one, provide clear authority for the province to establish a tax credit applied to flow-through share purchases that may be claimed by the purchaser under The Income Tax Act or The Income Tax Act, 2000.

Secondly, allow the development of regulations under The Mineral Resources Act, 1995 to govern reporting and administration requirements necessary to the operation of the tax credit program.

And thirdly, provide authority for the minister to recover the value of credits issued by an exploration company that do not meet the eligibility criteria.

And lastly, provide consequential amendments to The Income Tax Act and The Income Tax Act, 2000 to allow investors in eligible flow-through shares to claim the 10 per cent non-refundable tax credit.

Mr. Speaker, I want to emphasize that this government is committed to the development of our mineral resources and recognizes the crucial role of the mineral exploration industry in discovering the mineral deposits. We also recognize that the mineral exploration industry has faced significant difficulty in raising funds for mineral exploration in recent years. Therefore the government is implementing this tax credit to encourage investors to consider mineral exploration companies in their investment strategies.

I also note, Mr. Speaker, that a number of other mineral-producing jurisdictions in Canada have programs in place or are developing programs that are linked to or built on the federal tax credit.

If Saskatchewan is to remain competitive in attracting mineral exploration investment, it is important that we too introduce this

tax credit. By paralleling the federal tax credit closely, the provincial tax credit will be structured to minimize red tape and to avoid confusion for the companies working with both tax programs.

Similar to the federal tax credit, provincial tax credit will apply to eligible expenditures made after October 17, 2000, and before January 1, 2004. The provincial tax credit will only apply to specific mineral exploration activities carried out in Saskatchewan for investors paying Saskatchewan income tax. Provincial tax credit, Mr. Speaker, is designed to benefit Saskatchewan taxpayers investing in Saskatchewan mineral resources.

The amendment Act and accompanying regulations will also contain provisions that allow the minister to recover income tax revenues in the event that the company issues excess tax credits. The specific details of the eligibility criteria, the issuing of tax slips, and the administration of the program will be provided for in regulations. We will be consulting extensively with the Saskatchewan Mining Association and individual mineral exploration companies in the development of those regulations.

Mr. Speaker, I believe that Saskatchewan's geological potential is second to none, and the mining industry, already an extremely important part of our economy, has the potential to expand significantly. Our role as a government is to provide an environment that provides and promotes expansion. Mr. Speaker, we are doing just that.

With those brief remarks, Mr. Speaker, I move second reading of The Mineral Resources Amendment Act, 2001.

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

**Mr. McMorris:** — Thank you, Mr. Speaker. It's a privilege to stand and enter the debate on Bill No. 50, the mineral resource tax credit Act. After listening to the minister speak on the need for this and the good that this Bill is going to do, I think for the most part after just briefly glancing through it, it looks like it's moving in the right direction.

I can just think back a number of years ago — many, many years ago, probably 20 years ago — when mining really was not that active in our province. It was kind of an issue that really wasn't thought of too much, and it really needed a lot of help to get it moving and going; and it seems like over the last 15 or 20 years that mining is taken a little more seriously in the province and is starting to move up and being looked at as a major, major economic force in the province.

And we would agree with that, that we feel that there is a lot of potential in the mining industry and would really favour anything that goes to increasing the potential of either . . . whether it's the energy, the gas, energy, oil, or into the mining and the mineral area, we feel is a good move.

I find it very interesting, Mr. Speaker, that last year, I believe, I spoke . . . I was able to stand and speak on the film tax credit that was offered in the province and what a great job that that tax credit did to increasing the film industry in this province.

I remember a number of the figures that were given and how the

film industry was really not that active, and with a tax credit it got to be more and more active. Now there's quite a thriving film industry in the province. And we'll be looking to see if this tax credit that was introduced and we're dealing with today, the mineral exploration tax credit, will have the same effect on the mining industry.

And we certainly hope it would because I think it would be just one more piece of evidence that the government opposite should start realizing that increased economic development. To increase the business, whether it's in the film industry or whether it's in the mining industry, you've got to give tax credits, you've got to work . . . instead of just picking one.

I guess they used the film industry to begin with, that that might be an area that with a bit of a tax credit that they could move towards and increase. And I think the proof was in the pudding, if I could say that. And I think the mineral industry will be certainly the same thing.

But, Mr. Speaker, I think we need to go on beyond that. And any time this government, which I know it's got to be very tough for them to do, start introducing tax credits to increase the business in that specific sector whether it's mineral or film, we think is probably a good idea. And I think eventually they'll start realizing that it needs to be done in many, many, many more sectors.

Because what this province needs is more growth, it needs more investment, and one way to do that is through tax credits.

And so, Mr. Speaker, until we . . . although on first blush this Bill looks like it's going to hit the mark and certainly move towards increasing the mining industry and the mining business in our province, there's a number of parties that we need to talk to and just make sure it's gone far enough. Perhaps it hasn't gone far enough; perhaps there's other areas that it needs to address.

So, Mr. Speaker, I'll move adjournment of debate on Bill No. 50, the mineral exploration tax credit Act.

Debate adjourned.

## COMMITTEE OF THE WHOLE

### Bill No. 30 — The Labour Standards Amendment Act, 2001

**The Chair:** — I invite the member to introduce his officials.

**Hon. Mr. Trew:** — Thank you Mr. Deputy Speaker. Seated to my immediate left is Sandra Morgan, the deputy minister. Seated behind Sandra is Pat Parenteau, who is the senior policy analyst in planning and policy. And seated directly behind me is Eric Greene, who is the acting executive director of labour services.

#### Clause 1

**Mr. Weekes:** — Thank you, Mr. Deputy Speaker. I'd like to welcome the minister and your officials to the House today.

I have a number of questions concerning Bill No. 30, The Labour Standards Amendment Act. I believe everyone would agree that the family is the foundation to our communities and our province and our country. And it's very important that we take steps to enhance and protect the family and our children in every possible way to enhance our province and our community. Well-balanced individuals make for well-balanced families and communities.

I'd like to ask the minister a few questions, Mr. Deputy Speaker. The federal government passed the federal Bill, Bill C-32 about a year, a year and a half ago. And this has been on the books for quite some time and I would just like to know why the government has taken so long to introduce this Bill.

The government had an opportunity last fall to sit, which would have been the appropriate time for the government to introduce this Bill to be effective January 1.

**Hon. Mr. Trew:** — Mr. Chairman, I thank the hon. member for the question. But I'd like to point out that last fall the government was in the middle of a leadership race, and it's rather difficult to have a fall session when the party is in fact in the process of changing its leader. That's point one.

With respect to this question, the federal government introduced the legislation that this flows from on the final day of our spring session last year. This is simply a natural flow-through that brings Saskatchewan's legislation in line; that it will enable Saskatchewan families to access the Employment Insurance benefits and the other provisions that the federal Act allows. So this is . . . in effect, this session is our first opportunity.

And I'd further point out to the member that we required legislation. Not all provinces, Mr. Deputy Speaker, not all provinces required an Act of the legislature, but our Act is set up such that we did require this Bill.

**Mr. Weekes:** — Thank you, Mr. Deputy Speaker. Mr. Minister, I feel that this Bill was important enough that the government should have taken steps to get this introduced. The government and people of Saskatchewan have been asking for fall sessions for quite some time. And I believe that the political interests of the NDP Party were not as important as this Bill and many other Bills that could have been introduced and passed in the legislature.

As I understand, June 15 is a deadline, Mr. Deputy Speaker, for the passage of this Bill in order that some are not excluded from the changes.

**The Chair:** — Order. Why is the member on his feet?

**Mr. McCall:** — With the kind indulgences of the member opposite, I'd ask for leave to introduce a guest.

Leave granted.

(15:00)

#### INTRODUCTION OF GUESTS

**Mr. McCall:** — Mr. Deputy Speaker, I would draw your

attention to the fellow hiding behind the clock, from where I'm sitting at least. Seated in the Speaker's gallery, a fellow by the name of Rick Kotowich who works at the Four Directions Health Centre in Regina Elphinstone and does a tremendous amount of work in terms of developing the community and making north central Regina and indeed all of Regina a better place to live.

So I'd like you all to give him a warm welcome. Thank you.

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

#### COMMITTEE OF THE WHOLE

#### Bill No. 30 — The Labour Standards Amendment Act, 2001 (continued)

#### Clause 1

**Mr. Weekes:** — Thank you, Mr. Deputy Speaker. As I was mentioning, I understood June 15 is the deadline for passage of this Bill in order that some are not excluded from the changes. The minister did not point this out when the Bill was introduced or in second reading, and I'd like the minister just to explain a bit more to make it clearer to the people of Saskatchewan about these deadlines and the consequences of them.

**Hon. Mr. Trew:** — Mr. Deputy Speaker, I want to point out that this piece of legislation, this Bill was introduced in this House, in this legislature about six weeks ago so we've had ample time to get it to this stage. And I'm pleased that it is indeed at this stage; look forward to the passage of the Bill.

With respect to the question I think the member was asking, about what's the magic of June 14 or June 15. For an example, if a primary caregiver or mother began their leave four weeks prior to December 31 last year, in other words about December 8 — that's about the average time I'm advised that mothers begin their leave — then for those primary caregivers, in the case of adoption, or mothers, June 30 would mark the 30 weeks of maternity leave and that would be the end of their time under the existing legislation. So that's why there's the drop-dead date just later this week.

**Mr. Weekes:** — Thank you, Mr. Deputy Speaker. I've had a number of phone calls to my office, my constituency office and my legislative office, from very concerned mothers that are expecting and their concern was the deadline, the tight frame timelines that we're having to deal with here.

Mr. Minister . . . I'd like to ask the minister again about the introduction of this Bill. The Bill was introduced on May 14; second reading was May 17. That was the first opportunity we as the official opposition and the people of Saskatchewan had an opportunity to look into the Bill, hear what the minister had to say.

And the member, even the member from Saskatoon Meewasin stated that everyone knew this Bill was coming. She said it was even included in many of the NDP leadership campaigns. So given this date deadline, why did the government wait nearly two months to introduce this Bill which was clearly ready to go

earlier, and then tell the public it was the Saskatchewan Party's fault for holding it up?

It's been very clear that we haven't held this Bill up in any way whatsoever. We have no intentions of doing that. We would like to ask a number of questions which the people of Saskatchewan expect us to do.

And I was wondering why the government has been sitting on this Bill really for over a year and then come in at the last minute to introduce the Bill and try to rush it through.

**Hon. Mr. Trew:** — Mr. Deputy Speaker, second reading of this Bill was May 17, or I have May 18. I'm not going to quarrel over which particular day it was. But I want to point out that Saskatchewan is not the first jurisdiction to have introduced this legislation.

The hon. member for Redberry has just said . . . it's no surprise. Leadership candidates were talking about this, this being necessary. It should come as no surprise to the opposition that a government would introduce this legislation. It was included in our Throne Speech.

The issue is not why the government took to May 17 to have second reading of the Bill. That's not the issue. The issue is what does the Bill provide?

And it provides increased access for Saskatchewan families, parents. It provides an opportunity, for particularly mothers, but for primary caregivers and for the other spouse — usually the father — to spend significant time with new children in their family. All of the studies that I have ever seen or heard indicate that early in life the time that is spent not simply bonding, but caring, tending for babies is very, very important.

This piece of legislation is very progressive. It's a piece of family-oriented legislation, Mr. Deputy Speaker, that we're very proud of.

The issue isn't so much the May 17 second reading. The issue is June 12 passage.

**Mr. Weekes:** — Thank you, Mr. Deputy Speaker. Well it is of great concern, the timing of the Bill. The minister has said that they knew about it since the last days of last year's sitting. The federal government had introduced the Bill. It was passed federally. They've had many months to look at the provincial legislation that they wanted to introduce, and the provincial legislature sat March 28 after the budget Throne Speech.

Why did the government not introduce the Bill? One of the first items on the order paper should have been this Bill, because there is a deadline and it is an important deadline.

And people are very concerned about the deadline and losing . . . being excluded from many of the changes. And I just would like to ask the minister one more time: why was this Bill not introduced in late March or early April?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, I have much more faith in members opposite.

**The Chair:** — Order. Order. Order. I'm trying to listen to the minister's answers as well as to the member's questions, and I'm having difficulty. So would this committee please come to order.

**Hon. Mr. Trew:** — Mr. Deputy Speaker, I have more faith in the hon. members opposite than they have in themselves.

This legislation, there's no particular magic to it. It's not like we are reinventing the wheel here, Mr. Deputy Speaker. What we have is a piece of legislation that is common to virtually every jurisdiction in Canada. There are a couple of interesting little twists where our legislation is better than other places or equal to the best, but it is modelled essentially after legislation that is common throughout Canada. There's no magic to this.

The question is, why would you choose not to deal with it in a more timely fashion when it's introduced? We have second reading, as you say, second reading May 17. I have faith that you're capable of understanding legislation. And there's just nothing in this legislation that would cause us to hold it up. So the real question is, why wouldn't we simply move through that process?

**Mr. Weekes:** — Well no one is holding the Bill up. The problem why the Bill is late is because you didn't introduce it earlier in the session or even last fall when you had the opportunity to have a fall session.

You said there's a couple different little wrinkles that are different in the Bill from other jurisdictions. Could you explain those differences?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, I thank the member for the question. We provide in Saskatchewan with this legislation, a total of 89 weeks of job protection for parents, the birth mother and the father — 89 weeks total protection, job protection here.

The other second area of significant difference is with respect to adoptive leave, where in Saskatchewan we treat an adoption similarly to a normal birth, if I can describe it that way, or . . . I better not try and further explain that one. I'll just trust that people will appreciate what I'm trying to express here. Fifty-two weeks of parental leave coverage in the case of adoption, and that is greater than anywhere else.

**Mr. Weekes:** — Thank you, Mr. Minister. How many provinces has implemented this increased job protection clause to coincide with the federal EI (Employment Insurance) changes?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, nine other provinces have passed similar legislation and three territories have passed similar legislation. For those of you who are maybe not great at geography, that means we're the final piece of the puzzle.

**Mr. Weekes:** — Thank you, Mr. Minister. EI payments are made federally. Are there changes . . . are there differences to Saskatchewan law that allow EI payment to be made to parents that adopt children?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, this legislation that

we're discussing today does not deal with the payment to parents, the Employment Insurance payments. That is a federal jurisdiction and the legislation there is controlled exclusively by the federal government.

We are providing job protection here in Saskatchewan with this Bill. It's job protection; it's not related directly to the payments. That the co-relationship, if I can describe, is the federal government expanded the Employment Insurance payments significantly, and this Bill allows Saskatchewan families or parents to capture that benefit. But we don't speak to the Employment Insurance benefits in this. We speak to job protection.

**Ms. Draude:** — Thank you, Mr. Chair. To the minister, welcome to the minister and his officials. I just have a couple of questions to ask for clarification on the adoptive side.

You talked about job protection as opposed to actual payments. So what you're saying then is if I'm an adoptive parent, I could have my job protected for 52 weeks, but I wouldn't be guaranteed EI benefits, or I wouldn't receive EI benefits for 52 weeks. Is that correct?

(15:15)

**Hon. Mr. Trew:** — Mr. Deputy Speaker, to the hon. member, yes; essentially the short answer is yes. My understanding of the Employment Insurance benefits is that would cover for 35 weeks of payment, a maximum of 35 weeks of payment, assuming that the parent qualified for that Employment Insurance.

But I don't want to delve into the Employment Insurance too much. That's not our area. Ours is the 52 weeks of job protection, and we provide for 52 weeks of job leave that is protected and guarantees the job for the parent on their return to work.

**Ms. Draude:** — Thank you, Mr. Minister. I believe I heard you say that Saskatchewan is the only province that is allowed 52 weeks for adoptive parents. Is this both for the father and the mother, depending on their own choice?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, to the hon. member. Nova Scotia and Quebec also provide 52 weeks of leave. All of the rest are typically 37, 35, some as low as 12 weeks.

**Ms. Draude:** — Mr. Minister, then this is an opportunity I guess for Saskatchewan to say that, you know, we're leading the way here. But I'm wondering, have you talked to the federal government, to your federal counterpart, to determine if they're looking at increasing the amount of time that you'll be eligible for EI benefits?

I would imagine there'd be lots of adoptive parents would enjoy the opportunity to be home with their new young baby, but if they're not going to be given the benefits, the monetary benefits to stay home, they're not going to be able to do it.

It seems to me that there's two different sets of standards here then, one for adoptive parents and one for natural childbirth. Is that correct?

**Hon. Mr. Trew:** — I thank the hon. member, Mr. Deputy Speaker. Again the short answer is no, I have not spoken to my federal counterpart with respect to employment insurance and the rules. But the hon. member raises an interesting idea, or question, and this might well be an issue that we could take up at the next federal-provincial ministerial meeting.

And I simply commit that I will add that on my list of items to propose for the agenda. So I thank the member for the suggestion.

**Ms. Draude:** — Thank you, Mr. Minister. I'm sure your office has had calls, as mine has, from parents who are adopting who have been told by the federal government that because they're not natural parents, they won't be given the same amount of time of eligibility under EI as a natural parent for some reason.

I think it's an issue that we brought up in the House a couple of years ago, something where we're saying that adoptive parents have special circumstances. Even though it may not be the physical circumstances of getting over childbirth, there may be some special needs when it comes to bonding with an adopted child. So I'm asking if this is an issue that your department is going to be looking at?

**Hon. Mr. Trew:** — Again I thank the hon. member, Mr. Deputy Speaker. I think it's an issue we have looked at. The proof of the pudding is that we treat adoptive leave in exactly the same way as we treat the birth mother, the more natural . . . I regret the choice of words because adoption is natural as well and I don't want to leave the impression of anything else, this isn't anything different. This is a serious, serious issue and I appreciate the member's comments on it.

But yes, we're proud of what we have been able to do thus far and I absolutely commit to doing what I can to get this added to the agenda when the ministers meet.

**Mr. Weekes:** — Thank you, Mr. Minister, for those answers. Mr. Deputy Speaker, part of this whole Bill and the whole situation surrounding the Bill also impacts greatly on small businesses in the province.

And in the Bill you have included a four weeks notice to return to work. And I know in consultation with small-business groups and individuals that they have been asking for a six weeks notice of leave of the parents when they take the leave.

I would like to know if the minister has considered this notice at the beginning of the term and will you consider changing the Act to include the six weeks notice?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, I'm advised that with respect to the six weeks notice of starting leave — that's the hon. member's question — six weeks, there's one jurisdiction in Canada, Mr. Deputy Speaker, that currently has or asks for six weeks notice to start maternity/paternity leave, and that is our giant neighbour to the west, Alberta.

We are at four weeks, as is the majority of other provinces. Again I reiterate there is one province that has a six-week demand on its employees, that being Alberta. We're at four and we remain at four weeks with this legislative change.

**Mr. Weekes:** — Thank you, Mr. Minister. I'd like to continue on that same topic.

The small businesses that I have talked to, they're very concerned about that because they are in a position of having to hire part-time employees to fill in and they will have to train these employees. And they need the extra time in order to make their arrangements, their business arrangements and their hiring, to find the people and train them. And they need the extra time in order to do this.

And I would just, would like to know if the government at some stage in the future, would consider amending the Act to include this.

**Hon. Mr. Trew:** — Mr. Deputy Speaker, business has raised this matter with us. We were able to reach the conclusion that the current practice of four weeks notice to leave before the birth has been working fairly well. We believe that six weeks notice is simply creating more hardship and more difficulty all the way around. But four weeks notice seems to be working fairly well and we do not contemplate changing from four weeks. We're comfortable that that's as good a number as there is.

**Mr. Weekes:** — Thank you, Mr. Minister. I'd like to raise another issue. I've had young women and businesses raise this question with me. And I'll just give you an example what they're referring to.

They are saying, given everything equal, let's say a young man and a young woman are applying for a job, and if their training and education and skills are all equal there is a concern that the young man will be hired over the young lady.

And I was wondering, what is the government doing, or what will the government do to basically stop this discrimination that could occur?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, we do not have legislation saying who employers can hire. But I do wish to state absolutely unequivocally that the Human Rights Commission . . . we have legislation that has a basis of prohibition for denial of employment. And the basis of gender is one of the areas specifically banned from an employer refusing employment on the basis of gender.

**Mr. Weekes:** — Thank you, Mr. Minister. Again on that topic, I understand that the laws are in place, but given everything is equal between the two people, the employer doesn't necessarily have to state the reasons why he chooses one over the other, and it could be a problem. And I'm just wondering if there's any thought put to trying to alleviate that possible circumstance.

**Hon. Mr. Trew:** — Mr. Deputy Speaker, I appreciate the question. We simply assume that people are reasonable and would want . . . I know how I would want my sons treated. I know how I would want my daughter treated. I know how I would want my grandchildren treated . . . granddaughter thus far.

I think employers are not that crass or that coldly calculating, if I can describe it that way. We have laws in place throughout the

land and frankly, I just . . . I disbelieve that there's going to be any significant number of employers that will follow that line of reasoning that's put forward. I'm not attributing it to the hon. member, but the line of questioning that you were putting to me, I just disbelieve that there's any significant number of employers would hire using that logic process.

**Mr. Weekes:** — Thank you, Mr. Minister. And I agree with the minister that I hope no one would view that situation and I hope that does not become a problem. A person has to consider all these aspects.

Mr. Deputy Speaker, in order to be eligible for maternity leave, how long does a person have to be employed with a business or an organization?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, 20 weeks in the previous 52.

**Mr. Weekes:** — Thank you, Mr. Minister. Can you tell us how many provinces have a longer minimum period of employment?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, the qualifying period varies right across the country — for example, in Alberta, it's one year; in Newfoundland, it's 20 weeks; in Ontario, it's 13 weeks. But it just varies right across Canada.

(15:30)

**Mr. D'Autremont:** — Thank you, Mr. Chairman, Mr. Minister, officials. Mr. Minister, I was amazed to hear you say earlier in one of the initial questions that it was acceptable to shut down basic government operations to participate in a leadership campaign. The member asked why this legislation couldn't have been brought forward last fall, and your response was well we were in the middle of a leadership campaign.

Mr. Minister, the role of government does not end simply because you have some political activity to take place. You know that and the public knows that, so why are you abdicating your responsibilities?

Mr. Minister, the federal legislation came into effect on January 1. Provincial legislation at that time, if a parent went on maternity leave on January 1, ran for a certain period of time, they would still be on the provincial program as of today. But if a parent went on maternity leave in September or October, their provisions would have run out.

So, Mr. Minister, perhaps you're here now to accept responsibilities for your position and perform the role of government. Can you tell me how many parents were taking active part in the current government program — not the new legislation — the legislation that's in force today, how many parents were taking advantage of that program on January 1, 2001?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, the hon. member for Cannington raises a number of interesting issues.

I'm going to start with the question that relates more directly to this Bill than the others, and that was the question of how many families were involved in using the EI system on January 1 or

December 31. We do not have that number and I'm advised that the Employment Insurance people can not give us that specific number.

But I can report, for information purposes, that in the year 2000, there was very close to 5,200 families that accessed the Employment Insurance maternity/paternity provisions. So you can do your own math or estimation based on that number — 5,200 in the entire year.

There was another question surrounding this legislation and the federal legislation, and I am not sure if the member opposite understands that the federal legislation that was passed last year was not retroactive to January 1 or to December 31. That's when it came into effect.

With respect to the beginning comments, I guess that might . . . you know, it might make it interesting that the legislature can never take into account activities, political activities. I guess I should maybe advise the House Leader the next time the opposition doesn't want to sit in an evening because they've got something else on, that no, no, we'd best stay here.

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Mr. Minister, the official opposition is ready to sit every evening. It's the government members that adjourn the House.

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

**Mr. D'Autremont:** — Not only that, Mr. Speaker, we carried out a leadership campaign in 1998, and we did it during session and did all of our job in the House and in the constituency.

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

**Mr. D'Autremont:** — But perhaps, Mr. Chairman, we're more multi-tasking than the government is.

Mr. Minister, at 5,200 people, 5,200 parents on the program last year, roughly 430 per month — let's assume that they come on in a steady stream throughout the year — that means that in the month of January there would have been 430 families that would have dropped off of that program on the provincial sense because the program wasn't in place. The same thing in February, the same thing in March, the same thing in April, the same thing in May — roughly 430 families are dropping off of the program.

And yet the minister comes to us and says oh, no, it's extremely critical that we pass this Bill by Friday because some families are going to drop off of this.

Well, Mr. Minister, they dropped off in May, they dropped off in April, they dropped off in March, they dropped in February, and they dropped off in January. Why wasn't it critical for those families to have the same opportunities that you believe it's critical for the families in July to have?

**Hon. Mr. Trew:** — Thank you to the member for the question, Mr. Deputy Speaker. The existing provision is for 30 weeks of leave. Included in that is up to four weeks leave before the birth of a child. And we have, under the federal legislation, the key is the birth of the child was December 31, 2000 or after — in

other words, in this year.

So we could have . . . we would have had a number of birth mothers on maternity leave prior to their birth, whose time is running out very, very quickly — the 30 weeks. From early December to end of June is 30 weeks.

And so we've got a significant number — we may quarrel over significant — but I can assure the hon. member that it's very significant to those roughly 200 who will be affected almost immediately. We have a significant number of women who, if we do not pass this legislation this week, will have a tough choice; the choice being to provide notice to their employer that they're returning two weeks hence to work or to risk not having a job to go back to because they would not have any job protection benefits.

**Mr. D'Autremont:** — Mr. Minister, that's exactly the same argument that can be made for the birth mothers from October and November when they had to make that decision in May. They had to make the decision in May whether or not to give notice to go back to work.

And you denied them the opportunity to access this program that you're putting forward today by not having brought this legislation in earlier. Having brought it in in March, it could have passed in March or April. So you denied them that opportunity, just as you denied them the opportunity in April or February or January by not having brought the legislation in last fall while you were busy running around the province in your leadership campaign.

So do you accept the responsibility for those parents that have dropped off and not had access to this program prior to the passage of this Bill last month, the month before that, up to January 1 of this year?

**Hon. Mr. Trew:** — Thank you, Mr. Deputy Speaker. The issue here is the federal legislation talks specifically about the birth of the baby. December 31, 2000 is the critical date. A baby . . . we could argue whether it's good, bad or indifferent; it does not matter. We do not have in this legislature the ability to change that December 31 date.

Babies born December 30 — doesn't matter. We're not talking about them because we can't. For babies . . . parents whose children were born December 31, 2000 and after, the first drop-dead deadline is later this week. The issue, the issue is . . . and I thank . . . one of the opposition members, Mr. Deputy Speaker, said the drop-dead deadline is not a very good saying and he's right and I've used it for the last time today.

Because the first final opportunity that these parents have to serve notice that they're returning to their former jobs, to their former employer, the final opportunity they have to give that notice is later this week. And it is only for children born December 31, 2000 and subsequent that this legislation will have any effect on them. So the fall-off time is coming later this week.

**Mr. D'Autremont:** — Thank you, Mr. Minister. I have a couple of more questions. Now who qualifies under this legislation? Is it all parents? Are there certain categories that

qualify and certain categories that don't? Or do all parents — both natural and adopted — qualify?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, employees who qualify — in other words who have worked a minimum of 20 weeks in the previous 52 — qualify for the EI benefits. We do not differentiate in this legislation between birth parents and adoptive parents. We've made it clear that we're treating them equally and they qualify regardless of whether it's a birth parent or an adoptive parent.

**Mr. D'Autremont:** — Thank you, Mr. Minister. To qualify does a parent have to have paid Employment Insurance premiums?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, questions about Employment Insurance would be better answered directly by the Employment Insurance branch, because I am most reluctant to get caught in any details of the Employment Insurance program. So I'm not going into detail other than, generally speaking employees must have worked 20 weeks out of the previous 52.

By definition employee means the employer has paid the Employment Insurance premium. So there must have been some contribution, employment for 20 weeks, to qualify.

**Mr. D'Autremont:** — Where I was going with that, Mr. Minister, was, does a member of this legislature or any other elected member qualify? We don't pay Unemployment Insurance but we do work every week. Do we qualify?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, there's . . . I thank the member for the question. There's absolutely no change, this legislation from the previous legislation. Regrettably it means that we're not covered.

**Mr. D'Autremont:** — This is not so much a question as a comment, that's unfortunate perhaps. I could envision the situation where a member is approaching election time, goes off on maternity leave, the election is called. Is their job still there or not?

(15:45)

**Hon. Mr. Trew:** — Mr. Deputy Speaker. Interesting question. No, seriously, this legislation is federal legislation, about who qualifies. That's federal legislation, Employment Insurance legislation. And I would urge the hon. member to take that question up with the feds.

**Mr. Weekes:** — Thank you, Mr. Deputy Speaker. I would like to know if the government is considering communicating with the employers and employees of the province concerning the fact that when an employee takes leaves, goes on EI, they may have no intentions of going back to work. And I would like to know if the minister will bring that issue up to the employers.

Because if the employer knew that that employee was not returning, it has no effect on whether that employee is eligible for EI. They are. But it would be nice for the employer to know right upfront that this employee is not coming back to work.

**Hon. Mr. Trew:** — Mr. Deputy Speaker, this legislation won't change the existing situation with respect to notice of return to work. I shouldn't say with respect . . . this legislation provides for four weeks notice of return to work. Others will provide four weeks notice to return to work.

But your broader question is one of would the government somehow let employers know that there is some risk of parents not returning to work, of them accessing the benefits and then later choosing not to go back to work. Legitimate question. This Bill won't change the current situation in that respect.

But I just wish to remind the hon. member that people's circumstances change. One of the things that I found is when I get up in a morning and I'm feeling really good, that doesn't mean my day is going to go great. There's illnesses in family. There's all sorts of unforeseen circumstances.

Maybe more directly in the instance we're talking about, maybe a child becomes sick, maybe has an accident that would dictate that the parent spend considerably more time with that child.

Maybe initially the parent had accessed the Employment Insurance benefits and the job protection benefits that we speak to here, were enjoying that, and then something goes tragically wrong, and return to work is not an option at that moment. And I don't think there's anything that we can do to protect against that.

But further, I want to come back to the major point and that is this legislation shouldn't significantly change the number of parents who access Employment Insurance and then later simply choose not to return to work. I think it's pretty much business as usual in that regard.

**Mr. Weekes:** — Thank you, Mr. Speaker. Next question is about consecutive notices of leave. Families, it's common that families have a child or adopt a child and within a few more months the mother is pregnant again. How does this Bill relate to that situation?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, our legislation deals with the job protection leave only, not with the Employment Insurance portion. At the risk of being wrong, and I urge anybody seeing this or reading this not to take this as the way it necessarily is, but my understanding of EI is that you must work 20 weeks, have 20 weeks of employment out of the previous 52 to qualify.

And if you do the math, it means that you couldn't simply adopt, adopt, adopt, or adopt and have a child. You couldn't simply run this into a career of collecting EI and never, never going to work. Although if anyone thinks that they can, I mean, I welcome them to try it. Children are wonderful, but I'm not sure I'd want that many toddlers at the same time. I know biology happens.

I think I've given the answer though. Check with EI for the certainty there.

With respect to the leave provisions that this Bill deals with, that's what we are guaranteeing is the job protection leave benefits.

**Mr. Weekes:** — Thank you, Mr. Minister, Mr. Deputy Speaker. Next question that he speaks to, the financial burden to small businesses concerning retraining, concerning leave.

I'd like to know: has the Labour department calculated the added financial burden to employers concerning the need for the small business to retrain and train new employees concerning this Bill 30?

**Hon. Mr. Trew:** — Mr. Deputy Speaker, I'm advised that Deloitte & Touche did a study and came to the conclusion that the training costs associated with workers who will be filling the role of the parent who's taking maternity or paternity or parental leave, the training costs associated with that is roughly \$1 million province-wide in a year.

**Mr. Weekes:** — Thank you, Mr. Speaker. Given the considerable expense to small employees . . . employers, small businesses, has the government considered any help for the small-business person? And it's not necessarily just out of the provincial treasury that I'm asking this. I believe the federal government has considerable responsibility in this area too.

And a number of suggestions that I'd like to put to the minister is, one of them is providing a EI holiday for small businesses that have people off on maternity and parental leave; and also the other thing, which is a federal responsibility, is concerning the Income Tax Act.

And right now the Income Tax Act really discriminates against married couples. And I would also like to ask the minister to consider requesting the federal government to change the federal Income Tax Act to look after this situation and also change any provincial Bills in the provincial Income Tax Act that may discriminate against married couples as well.

And just my final comments. I believe that small businesses . . . we all know small businesses are the engine of growth in Saskatchewan and in all economies. And even though the government has reduced the small-business tax to a certain extent, I would like to encourage the government to eliminate the small-business tax as a further incentive to grow Saskatchewan and grow the economy.

**Hon. Mr. Trew:** — I thank you. Mr. Deputy Speaker, the member's properly pointed out that small-business taxes have been going down. That's not related to this Bill but I know that the Minister of Finance will be pleased that it's duly noted.

With respect to the suggestion that small business get a Employment Insurance holiday while they have a employee on maternity benefits, again this is a federal issue. And I would urge the hon. member to take that up . . . make that proposal to the federal government.

And with respect to the Income Tax Act, again I'm going to refer it to the Minister of Finance. I know that in Saskatchewan the basic exemptions are the same for husband and wife. We've tried to address that but . . . it's kind of pointless for me to expound on that. It's better in the Department of Finance.

So I thank the hon. member for his questions.

Clause 1 agreed to.

## Clause 2

**Mr. Weekes:** — Thank you, Mr. Deputy Speaker. I'd like to move an amendment to clause 2:

### “Section 23 amended

#### 2.1 Subsection 23(1) is amended:

(a) in clause (a) by striking out ‘20 weeks’ and substituting ‘52 weeks’; and

(b) in clause (b) by striking out ‘four weeks’ and substituting ‘six weeks’”.

And, Mr. Deputy Speaker, I'd just like to make a few comments about our amendment, specifically the one to strike out 20 weeks and substitute 52 weeks.

We also have another amendment later on, if this amendment is passed, we'd bring in another amendment to not to exclude any parents today. This would not take place for another 52 weeks, so all parents would be looked after up to now and this would take effect later.

**Hon. Mr. Trew:** — Clause 2, Mr. Deputy Speaker, on clause 2 with respect to these two amendments, I simply point out that striking out 20 weeks and adding 52 weeks simply matches your friends in Alberta . . .

**The Chair:** — Order. Order. I'm just advised that the amendment is out of order. And I refer the committee to Beauchesne's, 6th Edition, paragraph 698(8)(b), and it says:

An amendment may not amend sections from the original Act unless they are specifically being amended in a clause of the bill before the committee.

So I rule this amendment out of order.

Clause 2 agreed to.

Clause 3 agreed to.

## Clause 4

**Mr. Weekes:** — I'd like to move another amendment:

### “(c) in clause (b):

(i) in subclause (i) by striking out ‘four weeks’ and substituting ‘six weeks’; and

(ii) in subclause (ii) by striking out ‘four weeks’ and substituting ‘six weeks’”.

(16:00)

**The Chair:** — I recognize the Minister of Labour on a point of order.

**Hon. Mr. Trew:** — The point of order, Mr. Deputy Speaker, is

this: we're not proposing any change in our legislation now from what it was. So I'm urging you to consider this amendment out of order for the exact same reason the previous one was out of order.

**The Chair:** — On the Minister of Labour's point of order, the amendment is actually clause (c) of IV.1 so it would be in order. So I find the point of order not well taken. So we have an amendment.

**Hon. Mr. Trew:** — Mr. Speaker, we're going to be not supporting this amendment. I've answered questions about both the front-end leave provisions and the notice of return to work.

With respect to the part 1, (c)(i), there is in fact no change proposed in our legislation. There was four weeks notice of intention to leave previously; there is four weeks notice of intention to start maternity leave under this new Bill. With respect to . . . and we're not . . . we have no mind to extend the four weeks to six weeks for reasons I've stated earlier.

In clause (c)(ii), this is on the return to work, and we have, in our Bill, we have increased the notice of return to work from two weeks to four weeks. And quite frankly, we consider that to be an ample time in today's world. Four weeks notice to return will serve everybody reasonably well. Six weeks we argue is simply too long.

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Mr. Chairman, it's our belief that employers need to be given sufficient opportunity in which to hire replacement staff at the initial start-up of a maternity leave. Obviously, you're not in small business. In large organizations you will have replacement people available.

But in small organizations you're going to have to go out and do a search, you're going to have to advertise, you're going to have to be able to bring in people to replace the worker that's leaving, and that doesn't always necessarily happen quickly enough to deal with the four weeks notice, Mr. Chairman. That's why it's important at the front end to be able to extend that time period by a minimum of another two weeks to give six weeks notice.

Most parents do not take maternity leave when they initially find out that: (a) they're giving birth to a child; or (b) that they're adopting. So they have a time frame in there in which to deal with this.

On the tail end, Mr. Chairman, the same thing is also in place. The employer now has to give notice to the replacement employee that he has in place to . . . when the employee is going to be returning. In a lot of cases that may very well be a minimum of four weeks notice that they have to give.

So if the employee that's returning from maternity leave gives four weeks notice, that means the day they received notice that the employee is returning, they have to have given notice then that the temporary, the replacement worker, is now no longer needed. So, Mr. Speaker, that puts a great deal of constraints on the employer.

Six weeks would allow them to be able to deal with that, Mr.

Chairman. Therefore that's why we're proposing this amendment to allow employers the opportunity to hire employees at the front end and, Mr. Speaker, employers need that opportunity to deal with the replacement workers at the tail end of the maternity leave in the similar manner.

**Hon. Mr. Trew:** — Mr. Deputy Speaker, I want to point out that with respect to the leave provision upfront, since 1977 in Saskatchewan we've enjoyed a situation of four weeks notice of intention to leave. And the issue, I'm advised, has never come up until we proposed to amend the legislation.

When I say the issue has never come up, this has just not been a significant problem that has been raised with the department, nor with me in . . . since, well since 1977 when that provision came into effect.

With respect to the notice of return. What the opposition is proposing, Mr. Speaker, is to make Saskatchewan the jurisdiction, the leader with Alberta, the jurisdiction with the longest notice of intention to return to work. I'm not sure if the idea is to make it so difficult for employees to return to work that they just give up or what.

But the notice provision varies everywhere across Canada, from as low as two weeks in Newfoundland, three weeks in Quebec, four weeks in the majority of jurisdictions, including now under our proposal we go from two weeks previous to four weeks now. The majority of jurisdictions go to four weeks.

One and one only, demands six weeks notice of any employee before they return to work. That one is Alberta, and I just . . . I listened carefully to the member's arguments about employers' needs, and it sort of begs the question of how on earth small businesses or employers anywhere in Canada can possibly exist, particularly in jurisdictions that have a lesser requirement than what we have.

Amendment negatived.

Clause 4 agreed to.

Clauses 5 and 6 agreed to.

**Mr. Weekes:** — Thank you, Mr. Deputy Speaker. I'd like to thank the minister and his officials for attending today.

**Hon. Mr. Trew:** — Mr. Speaker, I thank all of the opposition members who have participated, and the rest too, for their support.

I am grateful as are a good number of families that we, in Saskatchewan, are now able to have our parents accessing the maternity/paternity parental leave benefits and it's just a great deal of joy that I feel this day.

So I thank all members and particularly the hon. member for Redberry Lake.

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

The committee agreed to report the Bill.

## THIRD READINGS

**Bill No. 30 — The Labour Standards  
Amendment Act, 2001**

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

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

(16:15)

## COMMITTEE OF FINANCE

**General Revenue Fund  
Justice  
Vote 3****(Subvote JU01)**

**The Chair:** — I invite the minister to introduce his officials.

**Hon. Mr. Axworthy:** — Thank you, Mr. Chairman. I'm pleased to introduce and ask the Chamber to welcome, on my left, John Whyte, who is the deputy minister of Justice and the deputy attorney general. On my right, Doug Moen, who is the executive director of public law and community justice. Mike Pestill, behind the deputy minister, is the acting director of administrative services branch. Colleen Matthews, behind me, is the executive assistant to the deputy minister.

To the left of the deputy minister is Rod Crook, who is the executive director of registry services. And behind me to the right is Murray Brown, who is the director of appeals for the public prosecutions division.

**Mr. Toth:** — Thank you, Mr. Chairman. Mr. Chairman, I know a number of my colleagues want in, but I want to do a bit of a follow up with the minister regarding maintenance that we had been discussing the last time we met with the Justice department.

A couple of issues that came to my attention in that time period and at the time as well I had raised a couple, I was using sort of a fictitious scenario, but I chatted with one gentleman who wants me to just raise his name and the problem he's facing. And I'll just drop his but raise a couple of other concerns that have come as well, Mr. Minister.

But, Mr. Minister, one of the reasons I'm following up on this is, you're probably no doubt aware of the Calgary boy who is biking across Canada. In *The Leader-Post* Tuesday, June 5, it said:

A 14-year-old Calgary boy made a stop in Regina Monday as part of a cross-country trek to push for more input for children in custody disputes.

"Kids want to be listened to. Kids need both parents," Clayton Giles said in an interview.

And it goes on to say:

In 1998, a federal committee travelled the country to study child custody and access and filed its recommendations for a less-adversarial system. However, in May 1999 the Justice Minister put any changes on hold for three years to allow for consultation with the provinces.

Now this young lad is travelling across Canada with his dad. And what he says, he decided to do this bike trek because:

... he was spurred into action by his own frustrating experience. (And) In January, he staged a 19-day hunger strike in front of a Calgary courthouse over his parents' 10-year-old custody (battle).

He also mentions that he's heard from many young children who have faced the same situations. And he said:

"All of the pain . . . there I saw — I had to do something," (about it) he said.

And then it goes on to say:

A 1995 court ruling denied his father access to either himself or his sister for three years.

And this young lad is saying:

"It was terrible. I was depressed all the time," he said. "It takes a terrible toll on your life."

During the dispute, (Giles goes on to say) Giles was constantly told that the courts were acting in the best interests of the children.

And his comment here in *The Leader-Post* is:

"That's a load of crap . . . They don't listen to the kids."

And that's a quote.

And Mr. Minister, I'm not going to hold back, I'm going to use the quotes because I think there's . . . what we're hearing here is the frustration of individuals who have had to work with the court system, and the fact that our whole legal system has not taken the bull by the horns and said we need to really readjust and refocus.

Mr. Minister, as well, your officials might be aware of an April article in *Reader's Digest* called "Myth of the Deadbeat Dad." And I could take a fair bit of time to talk about the different things that have been printed in this. It's from the *National Post* by Donna Laframboise, I believe is how you say the name. And just a few things out of this article.

In July 1999, in a rundown part of Regina, a 39-year-old divorced father tied a rope around his neck and hanged himself in his basement. His children have not been told how their father died, so his family has requested that his name be withheld. We'll call him Jim.

Jim worked as a mechanic. In addition to his children, he left behind grieving parents and siblings. And a two-page suicide note (and I quote):

“Since the separation, I tried my best to support my children and make a living. The end result was that it forced me into bankruptcy . . . This is the only solution because I see absolutely no light at the end of the tunnel.”

And, Mr. Minister, the article goes on to talk about a gentleman in Ontario, and similar experiences of how the courts are treating dads today. And the facts are, Mr. Minister, a Toronto lawyer says:

In the words of Pauline Green, a Toronto family lawyer, “Some judges think men have got off much too easily in the past with things like child support.”

And then:

Adds Susan Baragar, a Winnipeg lawyer, “There isn’t equality within the family court. There’s a standard joke among us family lawyers: ‘If you’re the guy, just put on your helmet and duck.’ Generally speaking, I know if I represent the woman, it’s going to go easily for me in court.”

And, Mr. Minister, you might find this interesting, this article worth reading. Because it points out a number of scenarios where individuals, at the end of the day, basically said enough was enough. To get away from the court system actually they were going behind in many cases, because what they were ordered to pay by the court and the unscrupulous work of maintenance enforcement and the fact that maintenance enforcement says the court ordered, therefore we will, and this is what we’re going to do because we’ve got a court order.

And yet I don’t find enough maintenance enforcement officers out there who are willing to at least sit back and maybe take a second look. It’s just the court ordered it and we must follow. And maybe it’s because we as legislators have not maybe put some safeguards in place, that if a court order has come through and if maintenance in their, in their bullish move to make sure they’re following up on the court order, may find that there are situations where the court order may . . . there might be some questions to be raised.

And when a person has appealed on a number of occasions and there’s no changes, such as, and I mentioned earlier, Mr. Minister, the situation coming out of a Rocanville gentleman. His name is Mr. Tremblay and you’ve received this letter. And the fact is this gentleman borrowed \$15,000 to keep maintenance off his back because he wanted to make his payments, but he works for the potash mine and he’s on and off work, and by the time everything was said and done, he’s falling behind.

And yet at the same time, the last time, when we addressed this the last time, Mr. Minister, you had mentioned about the fact of going back to court. Well he did. Unfortunately the order wasn’t changed, even though his spouse now is making more money working at a job than he is. And that’s one of the situations in front of us.

And, Mr. Minister, we have another one here, and I won’t use the name:

I have faithfully paid 11 years of child support. I’ve never missed a payment.

And then he says:

We have had no visitation rights in over nine years with his family.

And his comment is:

It’s too late for myself and my daughters as we’ve been totally destroyed, but no one should go through the hell we have and continue to go through.

Mr. Minister, this issue I think is an issue that has been put on the sidelines and shelved for far too long. I think, Mr. Minister, that you and your officials need to sit back and maybe if it means really working with the federal government to change the laws or maybe some changes at the provincial level, we need to bring some equality to this whole equation, Mr. Minister, because there is a lot of inequities.

Like the article that I was quoting from, from the *Reader’s Digest*, made the comment . . . makes the comment about the fact that many cases at the end of the day were going after the so-called deadbeat dads who are actually very poor individuals because of the whole problem we have.

And it’s not just the money, Mr. Minister. As we come back to Mr. Giles, this young Calgary boy, it’s a fact that children are really being abused, and that’s one of the major concerns, Mr. Minister.

So, Mr. Minister, having said that, I’d like to hear your comments. I know we’ve discussed it back and forth, but I know . . . I would like to know exactly what your department is . . . what you’re doing as a government to begin to look at the major concerns that continue to be raised and to address the inequity that’s in the family court system.

**Hon. Mr. Axworthy:** — Mr. Chairman, in answer to . . . or in response to the member’s questions, if I could deal with the last one first. He raised the question about the maintenance enforcement office being faced with a court order and complying with that court order and enforcing that court order. And he will know that it’s not possible for the maintenance enforcement office to change or ignore the court order. That’s possible only for the judge to do.

But what maintenance enforcement office does is work with the non-custodial parent to facilitate ways in which those obligations contained in the court order can be paid. They exercise a fair degree of flexibility. They provide advice. They’ll allow delays of payments when it appears extremely difficult for the payer to make the payments. So they do provide a good deal of advice and flexibility in responding to the court order.

And before they do enforce the court order, they will provide the payer with the opportunity to seek changes to that order should he or she regard it to be inappropriate or unfair.

So what I’d say really in response to the member is that while

the maintenance enforcement office is required to enforce the court order, it does nonetheless exercise a fair bit of discretion and effort to try to facilitate the process for the non-custodial paying parent. And it will continue to do that.

But if the member has any specific cases, as he mentioned, which have generated particular hardship that we should look at further, we'd be happy to do that and see what the maintenance enforcement office could do to facilitate those particular non-custodial parents.

In response to the first set of questions the member raised. He will have raised them before, and many of us would have heard this same claim, and heartfelt claim by some fathers, that the system is skewed against them; that it is not one which represents, or recognizes rather, the importance of both parents having a role in raising their children. It doesn't always, in the minds of those fathers, represent a system which gives them equal or equivalent rights to the mothers. And we will hear this, and I think continue to hear this on a regular basis.

(16:30)

But I think it is fair to say that the existing system has a strong preference for joint-parenting arrangements and joint custody, and in particular has a primary concern for what is in the best interests, interests of the child.

Now when a judge makes an assessment as to what is in the best interests of the child and what custody arrangements are appropriate in the circumstances, that will be done based upon arguments presented by both, by both parents, and based on an assessment by the judge of what, as I say, would be best for the child.

Very often, and perhaps not unsurprisingly, the parent who feels that they don't, that he or she does not get the access or is required to pay more maintenance than he or she would wish, feels aggrieved and thinks, I suspect feels strongly, that the system isn't working either for them or for the child in question because obviously we each were to have a separate assessment as to what would be the best interests of the child. But I might say, or I might emphasize, that the system is designed to be focused on what's in the best interests of their child and designed to be based on a preference for joint custody and joint-parenting arrangements.

As I say, that is not always recognized by the parent who wishes to have more access and more input into the parenting process. But this does raise important and serious questions, and indeed as the member will know, these are not the only important and serious questions revolving around this whole question of custody and how best to represent the interests of the child, and how best to ensure that all those who have a legitimate, genuine interest in the child — parents, grandparents, and others — have their rights respected.

And the member will know, and that there are serious federal/provincial consultations underway to address these and other questions. And those who have set up these consultations are concerned to ensure that there is effective participation by children and indeed on behalf of children whose rights may be adversely affected, as the member presented in his examples.

So we are looking at this matter seriously, both at the federal and provincial levels. There are consultations going, taking place across the country. And in September, federal/provincial/territorial ministers will be reviewing these family law matters. And there are a large number of them and they're complicated and generate significant concerns on the part of those involved. And certainly we'll report back when that meeting takes place.

But I share the member's concern for the seriousness of these questions. We are working to try to address all of these and other difficult matters of how do you do what is in the best interests of the child, how do you ensure that the judge makes the right decision, and what do you do if you don't think the judge does make the right decision. And we'll continue with that consultation process. And I encourage . . . I know the member's had input and I encourage other members to have input into that process.

In conclusion on this point, if there are specific cases, then I'd be more than happy to look into them. And I know that Lionel McNabb in the maintenance enforcement office does the best he can to ensure that people's concerns are addressed.

**Mr. Toth:** — Mr. Chair, and Mr. Minister, thank you. Mr. Minister, you made the comments and I'm not exactly sure if . . . I think you did hear what Clayton Giles thought of the courts really representing the children. Should I say it again? I think the message has come through. But I think it's very important that we really start thinking and addressing this seriously.

Mr. Minister, there was a clinical psychologist in Toronto, actually quit doing clinical work because of these types of things coming across her desk, where parents were just really put at wit's end because they didn't . . . especially these so-called deadbeat dads, as the article basically is trying to point out.

Mr. Minister, as I indicated before, the unfortunate part with maintenance enforcement is they're forced to follow a court order. But, Mr. Minister, if the court order is \$1,000 a month and a person's finding his income is only \$850 a month, so maintenance says, well we'll now cut it down to . . . we'll take \$450 a month. And over a period of time, it could be 20 years that you're going to have to pay this; if you get a higher paying job down the road, then we'll recover that back.

Mr. Minister, maybe what we need in maintenance enforcement, they obviously see some of these rough scenarios and rather than being heavy-handed, maybe they need to start looking at some of the court orders they're handed and start looking at the situations they're dealing with.

And when an appeal is made, maybe that office needs to start taking on not an adversarial role but start maybe being there to point out to the court, listen, we have an order, but we're dealing with a situation where that order far exceeds the ability of the plaintiff to comply with that order. And at least, Mr. Minister, maybe we need to offer that process.

Mr. Minister, and when it comes . . . and also when it comes to the court system, Mr. Minister — another avenue I feel very

strongly about — maybe we need to move further and further away from the court system and put in a real mediation process that totally removes the court system and the judiciary, where you have a panel that sits down and listens to the two sides, as well as the children, to address this issue so that we can come up with something that would be more . . . a lot fairer, a lot more equitable.

And make sure that indeed the children are looked after, whether it's through maintenance or . . . also the parents needs are looked after; the fact that both parents have joint and equal access and custody, and that those custody orders are indeed followed through so that both parents are treated fairly.

So those are just a couple of things that I would strongly recommend we look at very closely. Rather than just condemning all the time, I've been trying to put some ideas forward where we can make the system work better. So I thank you, Mr. Minister, for this time. Thank you.

**The Chair:** — Why is the member on his feet.

**Mr. Hillson:** — Yes, Mr. Chairman, by leave to introduce guests.

Leave granted.

#### INTRODUCTION OF GUESTS

**Mr. Hillson:** — Thank you, Mr. Chairman, and my thanks to the minister for allowing this interruption. I'm pleased to introduce some guests from Toronto who are guests of my assistant. It is Josh and Lori Deutch and their son, Mitchell. And they tell me that they're very impressed with the Saskatchewan legislature.

I'd ask all members to please join me in welcoming them here this afternoon.

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

#### COMMITTEE OF FINANCE

##### General Revenue Fund

##### Justice

##### Vote 3

#### Subvote (JU01)

**Hon. Mr. Axworthy:** — Thank you, Mr. Chairman. I'm sure that our visitors are mostly impressed because the member from North Battleford hasn't had anything to say today, but that may or may not be the case. I'm sure he'll get his own back before the day is out.

Just in response to the member's thoughtful intervention, he won't find any disagreement from us that there's a need to make some significant changes and a need to look for new options, new ways of addressing these concerns.

Plainly, asking a third party, a judge, to decide what is best under the circumstances is not easy. Though these judges, as you know, spend a great deal of time on this, they receive a lot

of training and education about these questions, but plainly it's better if those most involved, the parents themselves, actually make these decisions themselves and, of course, in many instances they do.

And there are a lot of examples of pretrial conferences. Most of them are family related, and there are efforts made to ensure that mutual agreeable decisions are reached at that time — providing reasonable access, providing reasonable maintenance arrangements, and so on. So more of that needs to be done.

And more needs to be done to explore really any options which would make this process work better, and the member mentioned one particular, one particular issue and that is with regards to a person, a non-custodial parent whose economic consequences change. And there plainly needs to be . . . we need to explore options to help those people. And indeed we are pursuing that rigorously at the present time.

So I think we are on agreement. I wouldn't want to speak for the member, but I think we're in agreement that we need to be much more creative and explore other ways of doing things to ensure that those who find difficulties with custody, find difficulties with maintenance, at least feel that their interests are being protected and responded to, and that they are being listened to and that their concerns are being addressed.

**Mr. Toth:** — Mr. Minister, you'd asked if there are any specific examples, just to give you a chance to address them. On the 21st you received a letter and it's titled, "Re frustration with the family law process in Saskatchewan." I believe you received it. I received it on the 26. And I'm wondering . . . It's re Tremblay versus Tremblay. Mr. Minister, could you just let me know exactly whether your office followed up on this and what your office did in regards to this letter. Thank you.

**Hon. Mr. Axworthy:** — If I can, I'll just ensure that I get back to the member on that at the first opportunity.

**Mr. Bjornerud:** — Thank you, Mr. Chair. Mr. Minister, I want to talk to you on a little bit different area about the divorce system that we have. And I'm sure the minister can relate to what I'm going to talk about today.

And the reason I bring it up because it's not a . . . there's not . . . it's not an easy thing for anyone to bring up in this House I'm sure, but I have the misfortune of being involved in a divorce myself right now. I guess good fortune or misfortune, I guess whichever day of the week you're talking to me and at what part we're at.

But I feel, Mr. Minister, that we don't bring these things up in here, we're never going to change the rules and the laws in this province that make it more amicable, far cheaper than we seem to have the present system set up at.

I would go on to say, Mr. Minister, I'm not only . . . have the misfortune of being involved in one divorce, I'm involved in two. And that's not because I have two wives, it's because I have a daughter that's also involved at this time in a divorce.

And you know, Mr. Minister, the first thing that I found out being involved in a divorce and seeing what's happening in my

daughter's case is who the winners and losers are.

And in our case, in both situations, I feel that the only winners is the legal system and the lawyers involved. All I've heard happen in my case so far is ka-ching, ka-ching, ka-ching, and my bill goes up. And I know every time my bill goes up, my wife's bill goes up.

I've saw in my daughter's case — and these are young people with kids and it's a stressful situation — and the last thing we need is to drain anything that they've built up away so that when they finish with the divorce, the settlement is over, that they're not broke and have completely lost everything that they have.

To me, the way we have our system set up is that the minute there's a disagreement on either party, we're into the legal system; we have to have lawyers involved. And I guess my suggestion — and I would sure like your feedback on this, Mr. Minister — is why can we not have a mediations process set up at least at the start of this process and try and see if that wouldn't work.

I'm not so much worried about people, I guess, possibly in the situation I am. Our kids are gone and we're along with the part of life where maybe we deserve to take our lumps. But I think when you come to young people like my daughter and her husband — and I'm not taking sides and I'm not pointing that here — but they're caught in a dilemma where there's little kids involved, and it's costing them an arm and a leg, and the process goes on and on and on and there doesn't seem to be any time limits put in place, Mr. Minister.

There's no situations where she can see or he can see that a year down the road we know this problem is going to be resolved one way or the other. It seems if one spouse disagrees with anything that's happening, whether it's in the settlement or with custody of the kids, we have to have the legal system involved.

And I guess my question, Mr. Minister, is can we not put some kind of a mediation system in place that we have some avenue to turn to them and say, let's use common sense here, let's go to as far as at least we can to use this process before we have to jump to the legal system.

(16:45)

**Hon. Mr. Axworthy:** — Well the member raises another question which causes significant pain and concern for many, many people. And when a relationship between two people who once loved each other — and maybe still do — breaks up, it generates significant emotional and other difficulties, and ones which we would not want the system to exacerbate.

And as the member so rightly says, it's important not to completely destroy that relationship . . . for the law, the process not to completely destroy that relationship — indeed to try to save as much of it as possible. So we seek other alternatives too and there are other approaches than just the kind of litigation-oriented adversarial process.

And the member will be interested to know we are implementing a pilot project in Yorkton and Saskatoon where it

will be required for all couples who break up — whether they have children or not — to attend education counselling sections to discuss, if they have children, the needs of the children and the impact that such a separation will have on the children and how best to address them, the obligations, legal and otherwise, that exist between the partners, and indeed any other issues that might be helpful in ensuring a smooth transition and one which enables both parties to leave the relationship with some respect and some sympathy and sentiment towards the other.

That process will begin in September in Yorkton and in October in Saskatoon. And our hope is of course that that will be then available shortly across the province.

Also there are family mediation processes in place too, following on from a court order, so the judge can order the parties to mediate their dispute. I suppose in a sense that's an odd thing, mediation being kind of imposed as an effort to try to help the process along. And that will be carried out by family . . . by counsellors who can help work out some of the disputes, financial support, parenting plans, custody and access, and those sorts of things.

And obviously it's better . . . best if those agreements can be reached by the parties, if they can be mutually addressed. And the member will probably know how much easier it is when property is divided after discussion and after some mutual understanding. But that is not always possible.

So we are searching then for ways to make that process less adversarial, less litigious, and more in keeping with how we might want to deal with close relationships, which for various reasons are no longer close.

**Mr. Bjornerud:** — Thank you, Mr. Minister. I'm glad to hear that there's some initiatives being looked at to maybe facilitate what I was talking about. I guess maybe mediator is not the right word; maybe facilitator would be the right word. I don't know exactly what type of a position this would entail but . . .

Mr. Minister, I think if a lot of couples out there that are contemplating separation and possibly down the road divorce, knew of all the ramifications that a divorce involves and the settlement involves, I think a lot more of them would be giving each other a hug and saying, I think we better have another go at this because this isn't going to be fun. Let me tell you, Mr. Minister, my experience will tell me that.

Mr. Minister, the other part that I talked about before and I don't think you addressed though, has there ever been thought to time limits where both . . . I think we've gone the time limit where we know there's no turn back, there's not going to be a change of heart by either partners, is there any thought been given to a time limit put on this for — well the divorce part can take place — but I'm thinking more of the settlement now of assets.

I've had the lady call . . . a lady call me where their divorce is final and nine years later there's been no settlement to separate their assets because one partner will not come to the table and get to that step. And to me that's ridiculous, Mr. Minister. I think we have to have somewhere, somehow, in place where if both partners don't agree, there's a time limit put on so both

members can get on, both people involved, can get on with their life.

So has that been given any thought, Mr. Minister?

**Hon. Mr. Axworthy:** — Well the member raises a question which is not so easy to deal with. I think it's generally the case that most people would resolve these matters fairly quickly and at around the same time.

But if one of the former marriage partners decides that it is not in their best interests — based upon mostly legal advice, but perhaps not always — is not in their best interest to respond or give in to the other partner's claim, then these things sometimes drag on for a long period of time.

And one of the things that does have to be guarded against I think is the notion, is the problem, of one person being more powerful than the other. And to make sure that the more powerful doesn't browbeat the less powerful into something that's not in their best interests.

But the member raises a question that's difficult to address. How do you deal with that? Can you deal with it by forcing time limits? I'm not sure you can but certainly we would want to ensure that these things are addressed as quickly as possible. There's nothing to be served by stretching out that process of separating a relationship.

**Mr. Bjornerud:** — Well thank you, Mr. Minister, and I understand that; I don't think it would be easy to put timelines in place. But I think somehow, someday, we have to find a way to help people come to a resolve so that they can get on with the rest of their life.

The other point that I wanted to make, Mr. Minister, we've had the misfortune in my daughter's situation of going through family court and dealing with custody of little kids. And my experience in family court was that, I believe the judge that morning had 14 cases and she had about two hours to handle them. And sitting back as a spectator watching what was happening, and yet being very concerned because there were people that were near and dear to my heart — their lives were being affected by decisions made there — and I saw the load that that judge had on her that morning.

I don't think there was any way, shape, or form that that judge had any opportunity to really have time to look into the situation what was going on within this family. And I'm sure every situation is different. But it was like bang, bang — she could hear what was going on very quickly by both the lawyers and then had to make a decision, which affected both parents, but it also affected the children.

And again I'm wondering if that isn't where a case where a facilitator, at least to start with, couldn't be set up where we could, number one, it would be a lot cheaper. It would keep a load out of our court system. If we couldn't deal some way there and say to both parents, let's go through this facilitating process and see if you can both be satisfied with what comes out of here and then we go on to the next part of the separation.

And, Mr. Minister, I would hope that this may work better than

it seemed to me what was working there. Because I'm not faulting the judge in any way, shape, or form — she had such a load that morning — but I guess what the worrisome part for me was that she's dealing with human frailties and little kids and their lives, where they're going to be.

For all intents and purposes, one partner could be very detrimental to the good well-being of these kids, and that judge only had a matter of minutes to say, I think we should do this. Even though the information was there I don't believe she had all that much time to really go in depth into it. So I think I had a great concern there of how fast she had to make a decision with so little time and such a heavy workload.

Maybe, Mr. Minister, would a facilitator or something like we've talked about before, come into effect here before, once again, we have to get into the court system?

**Hon. Mr. Axworthy:** — Well plainly these situations were best resolved, as we've said before and as I'm sure the member agrees, by agreement between the parties involved. And that's always available to the parties, but of course if one wishes not to mediate then it can't take place. We used to have it mandatory and that generated its own problems.

And I'll be interested to learn a bit more about the day the member observed in court because it comes as a bit of a surprise that there was so much work in the court that day dealing with these cases. That I think is not normally the case. And we certainly would rather, and we would do what we could to ensure that these cases are considered seriously because they are plainly serious issues affecting, as the member indicated, the lives of many, including the lives of vulnerable children.

So I'll get some details maybe from the member and look into this . . . the question of work or load in that court. I think it would be unusual for that to be the case, but we can certainly look into it and ensure that there is . . . that we do what we can to ensure that there are . . . that there is enough time and enough resources to make these decisions properly.

And I know that family court judges in Queen's Bench take their obligations extremely seriously, do a lot of work, a lot of education in understanding the issues they're dealing with, and these of course constantly change as new things are discovered and new issues arise. And that they do a good job on behalf of the province with families in resolving these disputes as best they can.

So I'll check into the member's experience and we'll talk about it maybe later and see what we can do.

I'm sorry, Mr. Chair. Can I introduce Betty Ann Pottruff right there, who is the director of — what's it's called? — policy and planning, and a whole range of other things.

**Mr. Bjornerud:** — Well thank you, Mr. Minister. And I appreciate your concern. I certainly would share the details of what happened that morning, if that wasn't possibly just one of those mornings where her workload was up.

I'm certainly not faulting the judge in any way. It just seemed to me there was such a workload I don't think any person that's

human could deal with so many cases as she did that morning.  
So we'll share that, Mr. Minister, at another time.

The committee reported progress.

The Assembly adjourned at 16:59.