

The Assembly met at 10:00.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Ms. Draude: — Thank you, Mr. Speaker. I again present a petition today from people in my constituency who are concerned about the Fyke report:

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 Kelvington health centre be maintained at its current level offering 24-hour acute care, emergency and physician services and that laboratory, physiotherapy, public health, home care, and long-term care services be readily available to the users from Kelvington and district.

Mr. Speaker, the people who have signed this petition are from Kelvington and Lintlaw.

Mr. Hillson: — . . . honour. To present petitions this morning concerning the restoration of old Government House at Battleford. The prayer of relief reads as follows:

Wherefore your petitioners pray that your Hon. Assembly may be pleased to designate the restoration of Government House in the Battlefords as a centenary project and provide necessary funds to complete the project prior to 2005 centennial of the province.

Mr. Stewart: — Thank you, Mr. Speaker. Mr. Speaker, this morning I rise to present a petition signed by individuals from my constituency concerned with the condition of Highway 339. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to repair Highway 339 in order to facilitate economic development initiatives.

And this petition is signed by individuals from the communities of Belle Plaine and Avonlea.

I so present.

Mr. Wall: — Thank you, Mr. Speaker. I rise again on behalf of petitioners concerned that we do not have an adequate hospital in the city of Swift Current and the southwest region. The prayer of their 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.

Mr. Speaker, petitioners today are from the city of Swift Current, from the communities of Webb, as well as Vanguard.

I so present.

Ms. Bakken: — Mr. Speaker, I rise today to present a petition on behalf of citizens of Weyburn-Big Muddy who are concerned with the lack of an in-patient treatment centre in the city of Weyburn. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to support this in-patient treatment centre in the city of Weyburn and provide funding for the same.

And the petition is signed by residents of Weyburn.

I so present.

Mr. Weekes: — Thank you, Mr. Speaker. I rise again today to present a petition from citizens concerned about cellular telephone coverage in their constituency. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause government to provide reliable cellular telephone service in the districts of Rabbit Lake, Hafford, Blaine Lake, Leask, Radisson, Borden, Perdue, Maymont, Mistawasis, and Muskeg Lake.

And as in duty bound, your petitioners ever pray.

Signed by the good citizens of Rabbit Lake.

I so present.

Mr. Bjornerud: — Thank you, Mr. Speaker. Mr. Speaker, I have a petition to do with the lack of funding to non-profit personal care homes. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to provide subsidies to non-profit personal care homes in the province so all seniors can be treated equally.

The signatures, Mr. Speaker, are from the community of Esterhazy, Bangor, and Kamsack.

Mr. Brkich: — Thank you, Mr. Speaker. I have a petition here, citizens opposed to the possible reduction of services to 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, emergency and doctor services available, as well as lab, public health, home care, and long-term care services available to users from the Craik and Davidson area and beyond.

As in duty bound, your petitioners will ever pray.

Signed by good citizens from Davidson, Regina, Kerrobert, and Craik.

I so present.

Mr. Allchurch: — Thank you, Mr. Speaker. Mr. Speaker, I rise in the Assembly to present the petition on behalf of the citizens of Shellbrook-Spiritwood constituency in regards to the health care services.

And the prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to abandon any plans to reduce 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 petitioner, Mr. Speaker, are from Mildred, Spiritwood, and Shell Lake.

I so present.

Mr. Peters: — Thank you, Mr. Speaker. I have a petition signed by folks that are 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 Unity, North Battleford, Kerrobert, Langham, and Saskatoon.

I so present.

Mr. Huyghebaert: — Thank you, Mr. Speaker. Mr. Speaker, I rise today with a petition from concerned citizens with reference to the high cost of energy and electricity. And the prayer reads as follows:

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 revenues to provide a more substantial energy rate rebate to Saskatchewan consumers.

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

And, Mr. Speaker, this petition is signed by the good folks of Coronach.

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.

Of citizens of the province petitioning the Assembly to amend The Labour Standards Act to recognize the needs of greenhouse proprietors and employees.

And seven other petitions that are addendums to previously tabled petitions.

PRESENTING REPORTS BY STANDING, SELECT AND SPECIAL COMMITTEES

Standing Committee on Crown Corporations

Clerk Assistant (Committees): — Mr. Thomson, Chair of the Standing Committee on Crown Corporations, presents the committee's second report of the twenty-fourth legislature which is hereby tabled.

Mr. Thomson: — Thank you, Mr. Speaker. I'm presenting today the second report of the Standing Committee on Crown Corporations. The report will be circulated shortly to members. It reports simply that we have concluded our review of the CIC (Crown Investments Corporation of Saskatchewan), SaskTel, SaskEnergy, and Sask Water annual reports for the years '98, '99, and 2000.

The report also contains advice that we'll be seeking additional information from the minister responsible for Sask Water and that we are dealing currently . . . we have a recommendation to deal with an overlap of responsibilities between the Public Accounts Committee and the Crown Corporations Committee that has been dealt with in The Provincial Auditor Act that this Assembly has approved but unfortunately will not take effect for the year 2001 at this point.

At this point I will move:

That the second report of the Standing Committee on Crown Corporations be now concurred in.

That is seconded by the member for Swift Current.

Motion agreed to.

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

Mr. Thomson: — Mr. Speaker, I would request leave of the Assembly to move a motion arising from the second report of the Standing Committee on Crown Corporations. The motion that I seek leave to introduce, reads simply:

That those matters contained in the 2001 Spring Report of the Provincial Auditor pertaining to CIC Crown Corporations be withdrawn from the Standing Committee on Public Accounts and referred to the Standing Committee on Crown Corporations.

If I have leave, I will move the motion.

Leave granted.

MOTIONS

Referral of matters pertaining to CIC Crown Corporations to Standing Committee on Crown Corporations

Mr. Thomson: — Mr. Speaker, I move, seconded by the member for Canora-Pelly who is the Chair of the Public Accounts Committee:

That those matters contained in the 2001 Spring Report of

the Provincial Auditor pertaining to CIC Crown Corporations be withdrawn from the Standing Committee on Public Accounts and referred to the Standing Committee on Crown Corporations.

Motion agreed to.

NOTICES OF MOTIONS AND QUESTIONS

Mr. Hillson: — Yes, Mr. Speaker. For Employment Equity Week, I have the following questions for the minister responsible for the Public Service Commission. I give notice that I shall on day 68 ask the government the following questions:

(1) In 2001 how many men are employed in the Saskatchewan public service; (2) how many women are employed in Saskatchewan public service; how many Aboriginal men and women are employed in the Saskatchewan public service; how many physically handicapped persons are employed in the public service; what is the number and percentage of women in out-of-scope management positions; what is the number percentage of Aboriginal men and women in out-of-scope positions; what is the number of physically handicapped persons in out-of-scope positions?

I have parallel questions for the Crown corporations and also by way of comparison for the year 1992.

INTRODUCTION OF GUESTS

Ms. Higgins: — Mr. Speaker, I would like to introduce to you and through you to members of the Assembly, two people sitting in your gallery that work in our caucus office, Mr. Speaker.

And as this session is drawing maybe to an end, I would like to introduce Jannet Shanks, who is the member's secretary; and Sarah Stills, who is a sessional researcher in our caucus office. These two women do exceptional work . . . Oh and also Gail Fehr, who works in the caucus office.

Mr. Speaker, I would just like to thank these three members . . . or these three people, publicly, that they do an excellent job for us and we appreciate it very much. So please welcome them.

Hon. Members: Hear, hear!

The Speaker: — Members of the Assembly, it's my pleasure to introduce to you two people who are very important in my life. Seated in the Speaker's gallery, visiting us here today in the Legislative Assembly is my wife, Olesia, who's enjoying her recent retirement and who is also celebrating her birthday today.

And with her is our grandson, Sam Wilkinson. This is Sam's first visit to the legislature. Sam is from Saskatoon; he's five and a half years old; he's got three more days left in kindergarten and then he'll be graduating into grade 1. And he's come here just to see where his dido works. So I'd ask all members to welcome him.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Recognition of Medical School Graduate

Hon. Mr. Belanger: — Thank you very much, Mr. Speaker. It was with great pleasure that I rise today in the Assembly to congratulate a constituent of mine who recently made history. Jack Janvier of La Loche is the first student to ever graduate from medical school.

Jack attended K to 12 in northern Saskatchewan, graduated from the Dene high school in La Loche in 1993. He attended the U of S (University of Saskatchewan) where he took a four-year undergraduate degree in microbiology. He attended medical school in Saskatoon for four long years.

(10:15)

He specializes in internal medicine. And Jack is now practising in Saskatoon but would like to come north to do a few clinics. Jack would like to practise in the North but because of the area that he specializes in, he is limited to the larger centres.

As far as Jack knows, he is the first person in the northwest side to become a doctor. Jack is a fluent Dene speaker and is now beginning his medical residency in Saskatoon. He encourages all the other students in northern Saskatchewan to pursue careers in health sciences.

Mr. Speaker, it is with great pleasure that I congratulate Jack and his family, his parents, Jack and Shirley. Thank you.

Some Hon. Members: Hear, hear!

Outlook Team to Compete in Airplane Pull

Mr. Brkich: — Thank you, Mr. Speaker. This summer a team of men and women from the Outlook area will be competing in a most unusual competition this summer. This competition will be an unusual demonstration of both strength and teamwork.

Mr. Speaker, a team of 20 men and women will be attempting to pull a Boeing 727 airplane a distance of 25 feet. This unusual competition will take place on August 18 and 19 at the Saskatchewan Remembers Air Show at Sask Place in Saskatoon.

The captain of the Outlook team, Mr. Vern Gessner, has been quoted as saying, "this is quite a challenge." And yes, Mr. Speaker, I'm quite sure it's going to be. It's not every day that you can tell people that you helped pull a 727 down a runway.

Each team will be allowed two pulls with the best time being posted. Teams with the lowest scores in each of the two days will receive several prizes, including use of a VIP (very important person) tent on the flight line during that day's air show.

Mr. Speaker, all the money that will be raised through this event will be directed to the Law Enforcement Torch Run and eventually into Special Olympics.

I ask the members of the Assembly to join me in wishing Mr.

Gessner and his team from Outlook the best luck in this upcoming event.

Some Hon. Members: Hear, hear!

Family Service Regina's 70th Anniversary

Hon. Ms. Hamilton: — Thank you, Mr. Speaker. In Saskatchewan it is well known there are many people and agencies that do much work to help support and educate individuals and families in Saskatchewan. One such agency is Family Service Regina, an organization that has been helping this city's residents for more than 70 years.

Wednesday of this week I had the pleasure of attending, along with the Minister of Health and the Minister of SERM (Saskatchewan Environment and Resource Management), a Regina Family Service luncheon, their annual general meeting celebrating 70 years of contributing to the fabric of our community.

Family Service Regina is a non-profit charitable organization that provides services for individuals and families. Family Service Regina's vision statement attests to the important work that this agency does. Their vision statement is, and I quote:

Family Service Regina is a responsive and caring agency which uses community resources to meet family and individual needs.

There are many areas in our society in which people need extra help and extra education. Family Service Regina provides resourceful workshops and programs that benefit those who need information and support, like teen parents or victims of domestic violence. Other services and programs range from anger management workshops to marriage preparation courses.

The history of this organization has been captured in a book, *Let the Family Flourish*, from the years 1913 to 1932 by Jim Pitsula. An updated sequel is on the way.

Mr. Speaker, in closing I'd like to thank all those involved and dedicated to making Family Service Regina so successful.

Some Hon. Members: Hear, hear!

Saskatchewan Party Nomination Meeting

Mr. Wakefield: — Thank you, Mr. Speaker. I wish to highlight to the Assembly that on Wednesday last the Saskatchewan Party had a successful nomination meeting in the Saskatoon Idylwyld constituency. The contested nomination attracted two candidates, Shelly Hengen and Bob Roy, with Shelly Hengen being the winning candidate.

Both of these very, very excellent and competent people presented ideas focusing primarily on the urgent urban and provincial issues, and in particular, Mr. Speaker, citing the current inadequate attention to the lack of growth in economic development, and especially compared to other Canadian jurisdictions.

The Statistics Canada 21,000 job-loss figures received the most

attention, as this significantly impacts on the confidence in both rural and the urban regions of our province.

So again, Mr. Speaker, congratulations to Shelly Hengen for her winning the nomination in the Saskatoon Idylwyld constituency.

Some Hon. Members: Hear, hear!

Students Promote Alternative Energy Use

Hon. Ms. Crofford: — Well thank you, Mr. Speaker. As we speak, outside the legislature an eco-bus has arrived and it's touring Canada from west to east. And I understand this was the brainchild of a young math student, who masterminded the bus to promote awareness of alternative energy.

Now the bus runs on recycled French fry oil — the kind that your French fries are cooked in, Mr. Speaker — and it's got a tank to strain out the larger bits from the oil, and as well a small converter in the diesel engine to heat up the oil so that it can burn better. And at an event in the park last night, they also were educating people on ways to prevent damage to the ozone layer by carbon emissions in the atmosphere.

So I just want to congratulate these young people, Mr. Speaker, for their initiative in promoting alternative energy use, for giving up their time to go across Canada and raise awareness, and to say that innovation is alive and well and with the next generation the earth is in good hands. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Claybank Brick Plant Annual Open House

Mr. Stewart: — Thank you, Mr. Speaker. Mr. Speaker, I wish to invite you and all members of this Hon. Assembly to the annual open house of the Claybank Brick Plant to be held this Sunday, June 24.

The plant is an excellent example of 19th century industrial technology still operating, at least this one day of the year. And I'd like to read from a letter of Helen Holizki, president of the Claybank Brick Plant Historical Society, wherein she states:

We are pleased that the Government of Saskatchewan, through the Saskatchewan Heritage Foundation, and also previously through the New Careers Corporation, is helping to develop the former Claybank Brick Plant into a nationally recognized heritage attraction. This combined industrial complex and natural area (the site includes a portion of the Dirt Hills) has the potential to become one of southern Saskatchewan's premier heritage destination points. A decision to convert Highway 339 back to gravel or to leave it in the horrendous condition it now is in would undoubtedly have an adverse impact on visitation to the site and on the economic development in this area. If left to deteriorate further, the condition of Highway #339 will jeopardize the good work that your government has accomplished to date at the Claybank Brick Plant National Historic Site. Also, a deteriorating highway will work against your much-needed Rural Revitalization program.

So once again, Mr. Speaker, I extend the invitation to you and all members of this Assembly to attend this important and interesting event. But I urge you to drive carefully on the way there.

Some Hon. Members: Hear, hear!

Wind Power

Mr. Addley: — Thank you, Mr. Speaker. Mr. Speaker, this government's commitment to buy wind power for its facilities will allow SaskPower to harness the wind to generate clean, renewable electricity. The opportunity to support wind power is an important step forward, Mr. Speaker. It will provide the people of Saskatchewan with an alternative energy source now and into the future.

Suncor Energy and Enbridge Inc have joined forces to develop the SunBridge Power Project, Saskatchewan's first large-scale wind power project, at Gull Lake. Over the next 10 years, \$12.4 million worth of green power produced by SunBridge will be bought by SaskPower and sold to the federal government for use in federal buildings in Saskatchewan.

In a second wind project, the provincial government has committed to a 10-year, \$5 million deal to purchase wind power from SaskPower. This 5.3-megawatt project will be completed in August 2002 and will supply power to government buildings and SaskPower's head office. Extra power will be available to high volume users and residential business customers who want to supplement their normal electrical needs with green power.

Mr. Speaker, together these two wind power projects represent the third largest wind power development in Canada. Mr. Speaker, our commitment to renewable resources will have a long-term benefit to Saskatchewan people. It will help reduce greenhouse gas emissions and improve our environment as we work to meet the challenges of the future.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Saskatchewan Baseball Hall of Fame Inductee

Ms. Draude: — Thank you, Mr. Speaker. It gives me great pleasure today to congratulate a constituent, Jake Hort of Endeavour, who will be inducted into the Saskatchewan Baseball Hall of Fame in August.

Mr. Hort began playing minor ball in his hometown of Endeavour. In 1957, he started working for SaskPower and played with senior teams wherever he lived. In 1977, he pitched four games in the provincial tournament for the Assiniboia Aces Twiliters, winning three. He had a .714 batting average for the tournament.

When Mr. Hort retired in 1990, he moved to Endeavour where he continued to organize and coach minor ball. Mr. Hort wasn't just a player and a coach. He was also a builder, building diamonds in Avonlea, Assiniboia, Endeavour and looking after the maintenance of these diamonds.

As well as being an avid baseball player and coach, Mr. Hort has been active in the Lions Club, Elks Club, recreation board, mayor of Endeavour, president of the Endeavour and district economic development loan program, board member of the Preeceville hospital trust fund.

Mr. Speaker, I ask the Assembly to join me in congratulating Mr. Hort on his induction into the Saskatchewan Baseball Hall of Fame and for his commitment to baseball and to his community.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Educating Youth about Tobacco Use

Ms. Bakken: — Mr. Speaker, the past few months I served on the all-party Committee on Tobacco Control. That's why I'm extremely disappointed that the government did not go far enough in implementing the committee's recommendations, especially in the area of anti-tobacco education for children.

The committee's final report contained several recommendations on educating young people on the harmful effects of smoking. These recommendations are completely ignored in the legislation currently before this House.

To the Minister of Health: why did the NDP government completely ignore the education recommendations contained in the tobacco committee's report?

Some Hon. Members: Hear, hear!

Hon. Mr. Nilson: — Mr. Speaker, if the member had listened to the press conference that we had where we set out our plan for dealing with tobacco, she would have recognized that exactly what's she's talking about is part of our plan.

The legislation is one piece, but this is only a piece of a broad plan, which includes working in the schools with Sask Education, working throughout the community and the health districts around education.

But this legislation is a piece of a broader plan and we are going to be working with all of the appropriate people to make sure we have a broad education plan in the province.

Some Hon. Members: Hear, hear!

Ms. Bakken: — The NDP have been in power for 10 years in this province and there is not one component that is mandatory for educating young people in our schools.

Mr. Speaker, every study ever done on smoking shows it's a lot easier to prevent young people from starting to smoke than it is to get them to quit once they've already started. The legislation currently before the House deals exclusively with stopping the sale of cigarettes to minors. While that's important, if minors are trying to buy cigarettes, we may have already lost the battle.

Mr. Speaker, that's why the Tobacco Committee recommended making anti-tobacco education mandatory in schools, starting in

kindergarten.

Mr. Speaker, to the minister. Why is this important recommendation being ignored by the NDP?

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — Mr. Speaker, as my hon. colleague, the Minister of Health has outlined, there are significant programs that are parallel to the legislation in terms of education with regard to preventing the start of smoking.

We in the education system strongly believe that curriculum development is a joint responsibility of the stakeholders within our education system, and we are currently engaged in consultations to develop those programs in our curriculum to prevent young people from smoking, Mr. Speaker.

Some Hon. Members: Hear, hear!

Ms. Bakken: — Mr. Speaker, the committee's goal was to educate young people about the dangers of tobacco use and denormalize smoking among young people. The committee recommended penalties for minors caught buying or possessing cigarettes. Again, the NDP ignored this recommendation.

Mr. Speaker, the committee's recommendation struck an unbalanced approach between the education system, retailers, and young people themselves. Each has an important role to play in this process. However . . .

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

Ms. Bakken: — Each has an important role to play in this process, Mr. Speaker. However, the NDP legislation puts all the onus on the retailers and completely ignores the recommendations about education and penalty for possession of tobacco.

Mr. Speaker, to the minister. Why is the NDP ignoring the recommendations of the all-party committee, and why is the government ignoring the recommendation to impose penalties on young people for possession of cigarettes?

Some Hon. Members: Hear, hear!

Hon. Mr. Nilson: — Mr. Speaker, we have put forward the proposals around education, around the specific issue of criminalizing young people for possession of tobacco. We've had that discussion. We do not think that's an appropriate thing to do.

We have surveyed the country and there is no legislation in place like that yet. And in Alberta, they have passed a law but they have not proclaimed it because they haven't found any part of the province that wants to use it.

What we will do is continue to listen, but we are not in the business of further criminalizing young people.

Some Hon. Members: Hear, hear!

(10:30)

Increases in Property Taxes

Ms. Draude: — Mr. Speaker, my question is for the Minister of Education. It's been now almost three months since the provincial budget was introduced and since Saskatchewan municipalities were completely shunned by the NDP (New Democratic Party) government. The members of the NDP government dismissed the concerns of municipalities who said that property taxpayers could not take another tax increase. Municipalities were doing everything they could to hold the line on property taxes and they were looking to the provincial government for help. But they were ignored. Grants in lieu would take care of everything, the NDP said.

Well, Mr. Speaker, the numbers are in and the property taxpayers and municipalities across this province are angry. Thanks to the NDP, the education portion of rural municipality property taxes has increased, on average, thirteen and a half per cent.

Will the minister explain to ratepayers and to RMs (rural municipality) how his NDP government can sit on a fiscal slush fund of a half a billion dollars and not help them hold the line on property taxes?

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — Mr. Speaker, as related many times to the members opposite, our budget in education increased the total to 33 million on the foundation operating grant. We completely covered the teachers' extended benefits to the tune of \$9.3 million. And when you add in the additional expenses with regard to CommunityNet and other initiatives in early childhood development, there was a substantial amount of close to \$50 million in this provincial budget.

And guess what, Mr. Speaker? That amounts to, with last year, over 16 per cent in two years, Mr. Speaker; just two years, an increase on the provincial budget of 16 per cent.

And I would say to those members opposite that their plan for education was zero per cent increase, and that would have off-loaded \$70 million onto the taxpayers at the local level, Mr. Speaker.

Some Hon. Members: Hear, hear!

Ms. Draude: — Mr. Speaker, to the Minister of Education. Why are school divisions having to increase taxes then?

Some Hon. Members: Hear, hear!

Ms. Draude: — Mr. Speaker, in some RMs, increase in the education of property taxes was dramatic. The RM of Rodgers had an increase of 42 per cent. The RM of Lumsden increased 47 per cent. The RM of Eyebrow was 50 per cent. The RM of Canaan was hit with an increase of 61 per cent. And that is the same RM where the government is refusing to pay their portion of the property taxes on the potato storage sheds.

The biggest increase by far was in the RM of Britannia, Mr. Speaker. Their education tax went up 90 per cent.

Mr. Speaker, these are incredible increases hitting rural businesses and farm communities who are already struggling to make ends meet. How does the minister expect these people to be able to come up with the money to pay these huge increases in property taxes?

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — Mr. Speaker, the responsibility for education is a joint responsibility between the provincial government and local school boards. The fact is that this provincial government has greatly increased its contribution this year to the financing of K to 12 education.

And I must say that the members opposite did not vote for that budget. They did not vote for those increases to education.

And we also recognize that this year was a year of reassessment, and assessment across the province of Saskatchewan increased some 10.8 to 11 per cent overall. There was an increase in assessment in Saskatoon alone of 21 per cent. This allowed municipalities and school boards to look at their overall assessment and apply their mill rates.

And I must say that school divisions throughout the province of Saskatchewan, over 95 per cent of them actually dropped their mill rates this year, Mr. Speaker. And the fact of the matter is that when we talk about what we are doing in this province, this province is very committed to K to 12 education.

Some Hon. Members: Hear, hear!

Ms. Draude: — Mr. Speaker, the Minister of Education still doesn't get it. Just because the rates went down doesn't mean they don't pay more money; there's an assessment involved in it.

Some Hon. Members: Hear, hear!

Ms. Draude: — Mr. Speaker, the total dollar value of education tax increases this year is \$25 million increase, Mr. Minister. That's exactly the same amount of the property tax rebate program the government brought in last year. In other words farm families that the NDP are professing to help, actually you're giving them no help at all. You're taking from one hand and giving it back in the other hand. There's no help at all.

Mr. Speaker, the government announced yesterday they were going to help farmers in areas of drought, but they ignore the fact that education taxes on pasture land jumped 28 per cent. They could have done something about that. The one thing the government could have done for all property owners across the province was increase revenue sharing to municipalities in this province.

Mr. Speaker, to the minister. Why are you forcing property tax owners and RMs to pay these huge increases in education tax?

Some Hon. Members: Hear, hear!

Hon. Mr. Melenchuk: — Mr. Speaker, we now know that the members opposite did not vote for the budget that allowed for a massive increase in spending by this provincial government for

K to 12 education.

And let me just point out what they were planning to do in agriculture in their platform, Mr. Speaker — lobbying the federal Liberal government, demanding the federal Liberal government. They take no responsibility for doing any provincial initiatives in their platform and in their most recent convention, Mr. Speaker.

And I quote from their most recent convention, their policy. What did they say about agriculture?

The Sask Party government will implement policies to encourage the local processing of commodities and direct Internet marketing of ag products.

And they then criticize us for doing that, by getting into the Internet to market ag products, Mr. Speaker.

That group has no credibility whatsoever.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Thank you, Mr. Speaker. Well, Mr. Speaker, we didn't support that budget because it forced tax increases all over this province, both urban and rural.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Mr. Speaker, it's not only rural ratepayers who are being hit by huge tax increases. The NDP's lack of new funding to urban municipalities is also driving up property taxes. Homeowners all over Saskatchewan are being forced to dig deeper into their wallets to pay for this government's decision to ignore municipal government in this year's budget.

The Sask Party has heard from numerous cities, towns, and villages who have been forced to raise property taxes. I'm sure the minister is hearing those same complaints.

Mr. Speaker, given all the huge hikes on property taxes across the province this spring, will the Minister of Municipal Government admit it was a mistake to ignore municipalities in this year's budget?

Some Hon. Members: Hear, hear!

Hon. Mr. Osika: — Well, Mr. Speaker, I've said it time and time again and I know that those people that we continue to dialogue with and talk to, with SARM (Saskatchewan Association of Rural Municipalities) and SUMA (Saskatchewan Urban Municipalities Association), and people know the efforts on the part of this government and the commitment to municipal government through targeted programs.

Yes, and we responded to what SARM and SUMA had asked. What SUMA had asked was more money for education. The Minister of Education, my hon. colleague, has just indicated to this House and to the public what has happened in the education sector to assist.

Mr. Speaker, there have been targeted programs and I'll be happy to go through all the targeted programs, the additional

money that this government has supplied to municipalities throughout this province to assist them.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Well, Mr. Speaker, yesterday I had the opportunity to attend a meeting in Kipling, a SARM district meeting. And a hundred-and-some people that were there are not happy with that minister or the Minister of Education, or for that matter the Minister of Finance for not addressing the issues of rural and urban Saskatchewan.

Mr. Speaker, it's hard to believe that the minister isn't hearing their concerns because many cities and town councils have written to us outlining the tax hikes the NDP has forced on them.

Mr. Speaker, the city of Moose Jaw, property taxes up 3.4 per cent; city of Saskatoon, property taxes up 4 per cent; city of Weyburn, taxes up 6 per cent; city of Melfort, up 8.1 per cent; town of Porcupine Plain, property taxes up 10 per cent; town of Rocanville, property taxes up 14 per cent.

Mr. Speaker, that's just a few examples. Now every one of these tax hikes comes courtesy of the minister of Municipal Government and his NDP counterparts. Why is the NDP raising taxes for so many Saskatchewan families?

Some Hon. Members: Hear, hear!

Hon. Mr. Osika: — Well, Mr. Speaker, what the member opposite is not telling the Assembly are those letters that they wrote not informing those councils of municipalities about the intent of their amendment to the budget.

I've received copies of letters . . . (inaudible interjection) . . . They say they've received letters. I received letters saying: oh we were not made aware of the amendment cancelling . . . asking this government not to hire people, Mr. Speaker, to put 104.5 full-time equivalents into Saskatchewan Environment and Research Management to assist communities with all the problems that they've been experiencing. They voted against that.

And they misinformed the people in the communities what the intent of their amendment was. I hear from those people as well, and they're telling us that they appreciate the efforts that this government has made to assist them in those targeted projects that are so essential for the quality of life in rural Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Thank you, Mr. Speaker. Well, Mr. Speaker, the minister should know that of the hundred and some people at that meeting yesterday, every one of them said they would rather have increased revenue sharing than see this government grow the size of government.

Mr. Speaker, we received a letter from the village of Parkside that summarizes all the attacks on property taxpayers by this NDP government. And it says, and I quote:

The reduction of revenue-sharing grants, the total loss of

capital grants, and the cuts to grants such as fire, signages, and etc., and the continued increase to requisitions from SAMA means we receive one-third of the funding we did 10 years ago. This is not to mention the continual . . .

The Speaker: — Order, please. Order, please. Order, please. Order, please. Just . . . must be able to hear what the member is saying. I would ask members to quieten down a bit so we can hear what the member is saying.

Mr. Bjornerud: — Thank you, Mr. Speaker. And it's a good question, Mr. Speaker; they should listen up.

Mr. Speaker, the village of Parkside goes on to say:

This is not to mention the continual increase in power rates, energy rates, and the policing costs on municipalities.

Mr. Speaker, as a result of these NDP attacks, Parkside has been forced to hike municipal taxes by 17 per cent at the same time education taxes are going up 25 per cent. Mr. Speaker, that's a huge tax increase.

Why does the NDP continue to attack property taxpayers?

Some Hon. Members: Hear, hear!

Hon. Mr. Osika: — Thank you, Mr. Speaker. Those are pretty harsh words, attacking taxpayers. Taxpayers are not under attack, Mr. Speaker. We are working with people to try and resolve some very serious concerns.

And the members opposite should be aware that school property taxes, for example, can change as a result of a number of things. Just as an example, they can . . . shifts from property reassessment in 2001 can cause that. Changes to school grants and/or decisions by school boards regarding budgets and setting of mill rates — those are the kinds of things that affect taxes in different communities throughout the province.

Mr. Speaker, while revenue-sharing grants have been stable since 1997, the government has provided monies to municipalities through infrastructure programs. And the list from 1994 to 1998: the federal contribution, 69 million; provincial contribution, 98 million, Mr. Speaker. How can the members opposite say that this government has not contributed to the well-being of rural Saskatchewan?

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Thank you, Mr. Speaker. Well, Mr. Speaker, I find it interesting this morning that the two ministers on that side that are sticking up for increasing taxes all across this province, what the NDP has done, are the two Liberal cabinet ministers.

Some Hon. Members: Hear, hear!

Mr. Bjornerud: — Mr. Speaker, they should be sitting on this side helping us trying to keep taxes down in the province of Saskatchewan.

Some Hon. Members: Hear, hear!

(10:45)

Mr. Bjornerud: — Mr. Speaker, last year the Minister of Finance promised historic tax cuts. Well he delivered. His tax cuts were history before the Saskatchewan people ever saw them. Last year's tax cuts were eaten up by PST (provincial sales tax) increases and dozens of hidden fee hikes. This year's tax cuts were eaten up by SaskPower rate hikes, SaskEnergy rate hikes. And now higher property taxes.

Saskatchewan families are winding up with less money in their pockets, have absolutely less dollars to spend, Mr. Speaker. And that's a direct result of the NDP ignoring municipalities in this year's budget.

Mr. Speaker, will the minister finally admit he made a mistake and commit to higher revenue sharing for municipalities?

Some Hon. Members: Hear, hear!

Hon. Mr. Cline: — Mr. Speaker, the problem here of course is that the opposition wants to be all things to all people and they want to speak out of both sides of their mouth.

Here we have the member from Kelvington-Wadena getting up today and what does she say? She says we should spend more, even though we've had record increases in education spending.

But what does she say in the *Humboldt Journal* of April 12? There she says, quote, "The budget spending is not sustainable." There she says spend less.

Then we have the member from Canora-Pelly releasing a so-called economic analysis the other day. You know what the economic analysis says, among other things, Mr. Speaker? It says that the policies of our government favour tax reduction and spending over debt reduction.

It says not that we should do more tax reduction as the member from Saltcoats is saying today. No, it says we should do less tax reduction. It says we should consider the experience of the federal government and refrain, refrain from further commitments to tax reduction. That's what their own policy says, Mr. Speaker.

Some Hon. Members: Hear, hear!

Recommendations of the Special Committee to Prevent the Abuse of Children in the Sex Trade

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, my question this morning is for the Minister of Justice. Mr. Minister, for months now the all-party committee on child prostitution has been meeting. We have held province-wide consultations and we as a committee have developed a series of recommendations which at this time are being printed, and hopefully will be tabled in the near future in this legislature.

Mr. Speaker, this has been a long, thorough process, and we hope the NDP government will not take the work and the recommendations of this committee lightly. The all-party committee has already written to the Minister of Justice detailing specific recommendations and asking them to be acted

on immediately.

My question, Mr. Speaker, to the minister is: will the minister introduce legislation this session to implement any of the recommendations from the committee?

Some Hon. Members: Hear, hear!

Hon. Mr. Van Mulligen: — Mr. Speaker, I think it's fair to say that the Legislative Assembly looks forward to the report of the committee. We will look at the recommendations of the committee. If there are recommendations of the committee that lend themselves to speedy action by the Legislative Assembly, then I'm sure that we will want to do that.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, a few weeks ago the co-Chair of the committee, the member from Saskatoon Greystone, told the media that he certainly expected the government would introduce legislation to prevent the abuse and exploitation of children through the sex trade in this session.

Mr. Speaker, there has been delay after delay by the government on this issue already including the simple project of printing the report. Mr. Speaker, if this government is not prepared to act immediately after all of the diligent work done by this committee, Mr. Speaker, will this government commit to a fall sitting of this legislature for the specific purpose of introducing legislation that will help get Saskatchewan children out of the sex trade?

Some Hon. Members: Hear, hear!

Hon. Mr. Van Mulligen: — Thank you, Mr. Speaker. Mr. Speaker, the member speaks of delay, and I think it's up to the members of the committee to ask themselves why there have been delays and to answer those questions for themselves. That's not something that the Legislative Assembly can comment upon, Mr. Speaker. Having said that, Mr. Speaker, my ...

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

Hon. Mr. Van Mulligen: — I suppose they call it question period because they don't want to hear the answers, Mr. Speaker.

Mr. Speaker, we expect, or as I understand it, the committee will be making a report to the Legislative Assembly in a matter of days. If there are recommendations contained within that report that the Legislative Assembly can act upon immediately, then I think the Legislative Assembly will want to do that, Mr. Speaker. And that's the position that I would take and I hope that's the position that the members opposite would take.

Some Hon. Members: Hear, hear!

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, this question is to the Premier.

Mr. Speaker, the Special Committee to Prevent the Abuse and Exploitation of Children through the Sex Trade was struck by this legislature after much diligence on behalf of the Saskatchewan Party to raise the issue on the radar screen.

It has been a process where members of the committee heard heart-wrenching stories from families who have lost children to the sex trade, from children who are recovering from years of abuse and involvement in the sex trade, and from police, social workers, and social services agencies who deal with johns, victims, and the general social impact the involvement of children in the sex trade has on society.

Mr. Speaker, my question to the Premier is this: if the government is not prepared to act in this session, will the Premier call a fall session to deal with this very serious issue?

Some Hon. Members: Hear, hear!

Hon. Mr. Van Mulligen: — Mr. Speaker, it's very interesting in the light of the last two questions and the answers that have been provided, for the member to say that if the government is not prepared to act during this session. I don't think that the answers I've given indicated that.

What I have said, Mr. Speaker, is that if there are recommendations contained within this report, which is expected within a matter of days, if there are recommendations that can be acted upon immediately, then I think that this side of the House, and hopefully that side of the House, will want to do so, Mr. Speaker.

Thank you.

Some Hon. Members: Hear, hear!

ORDERS OF THE DAY

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 52

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Atkinson that **Bill No. 52 — The Railway Amendment Act, 2001** be now read a second time.

Mr. Elhard: — Thank you, Mr. Speaker. Mr. Speaker, when I last had the opportunity to speak to this Bill, I spent quite a substantial amount of time developing the arguments surrounding my concerns about the provisions in The Railway Amendment Act that dealt with the ability of short-line operators to come into existence, to begin business, to offer service to communities that were served by short-line rails.

I also went into some detail describing my concerns about how this Act applies to those operators who might successfully become short-line operators, and their ability or inability to get out of business if the need should arise because of the provisions of this Act.

And I won't go into a lot of detail or rehash those arguments again, today, Mr. Speaker. But I do think that there are some elements that arose from those particular arguments and those particular points of view that need to be addressed to some extent in our discussion of this Bill today.

Having looked at the Act further and having consulted with additional people and . . .

The Speaker: — Why is the member from Estevan on her feet?

Ms. Eagles: — Mr. Speaker, to ask leave to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Ms. Eagles: — Thank you, Mr. Speaker, and to my colleague, the member from Maple Creek . . . Cypress Hills, I'm sorry, for allowing me to interfere with his speech.

Mr. Speaker, to you and through you to other members of the Assembly, I'd like to introduce a group of students from my constituency. They are the grade 4 students from Midale Central School at Midale. There's 16 students . . .

An Hon. Member: — The Johner Brothers are from Midale.

Ms. Eagles: — Yes, it is the home of the Johner Brothers. Their teachers are Jana Epp and Brenda Molstad. And they have also six chaperones. I hope they enjoy the proceedings here and I look forward to our visit after the tour. Thank you very much.

Hon. Members: Hear, hear!

ADJOURNED DEBATES

SECOND READINGS

Bill No. 52 — The Railway Amendment Act, 2001 (continued)

Mr. Elhard: — Thank you, Mr. Speaker. Having looking at this piece of legislation in greater depth, and having talked to more of the parties interested in the implications of this legislation — both at the local level and at the larger professional level — I understand that there are certainly serious differing points of view.

There are some people who support this Bill and all its involvements and all its contingencies fully. And there are others of course that have very serious reservations about it and would prefer to see virtually most of the Act removed or at least modified.

But there are some things that come to mind, having read the Act, that I would like to touch on now, Mr. Speaker.

Having dug into the details of the Act, there is a tremendous amount of ministerial discretion allowed for in this particular Act. And while on the surface of it there might not seem to be anything wrong with that, there is, as a result of that provision, an opportunity for abuse frankly.

Now what we have to assume is that that isn't going to happen. But having looked at all the regulations and all of the areas of ministerial discretion here, it has occurred to me that this Act is heavily weighted toward public ownership opportunities in the short-line rail business.

When I say public ownership, I'm not saying necessarily provincial government ownership although that is certainly possible. It's provided for in this Act. But I also think that the Act is weighted toward groups, small groups, co-operatives, any type of voluntary group that come together to salvage a rail line operation.

The reason I say that is that even though the public interest test that is required in this legislation is stringent — and I recognize the government does have a right to determine whether a new operator might be a bona fide operator — it appears to me that the rules for entry into the short-line business have been written to favour a public ownership role in the short-line business. They certainly aren't written in such a way as to provide any benefit or any clear opportunity or prejudice toward a business enterprise coming in and establishing a short-line railway.

And I think maybe seeing that predilection in this particular piece of legislation suggests to me that there is an underlying bias that is being established in this legislation toward a public ownership role.

Now some people might argue that, philosophically or ideologically, that's a preferable way to go. But if you discourage the private enterprise operator, the business operator to come in here and pursue an opportunity with short-line railways, the question remains, have you done the best for the province and have you provided the greatest opportunities and the greatest potential for the people that are going to be served by these railways. And I'm not so certain that that is being achieved with this particular piece of legislation.

I refer, Mr. Speaker, to the explanation, the explanatory notes that came with the legislation concerning this, and part of it reads as follows:

If the minister determines that a class 1 railway is merely selling a line to avoid paying the compensation to municipalities upon abandonment as required under federal legislation, the minister may deny the application.

Now, Mr. Speaker, a class 1 railway, as we have alluded to on previous occasions, is CP (Canadian Pacific) Rail, CN (Canadian National) Rail, and some of the larger rail operations that we know of in the United States and in eastern Canada.

The question that arises when I read this explanatory note is how will the minister know, how will the minister ever know for certain if a class 1 railway is merely selling a short-line to avoid paying the compensation that's required of those railways to pay to municipalities when they propose abandonment?

(11:00)

It sounds to me like there is going to be some subjective elements that come into this. And given the wide-ranging ministerial latitude that this Bill provides, the minister could say

at any given time that any rail-line abandonment proposal or any short line, new short-line proposal, is just an extension of a class 1 railway and she could rule against it automatically.

I think that that does not bode well for the short-line industry. I think it sets up too many opportunities for the minister to provide winners and/or losers in this business; to be the sole authority in deciding who is going to operate the railways from the perspective of what's in the best interests of the government of the day, whether it's this government or subsequent governments. And I think that there is a real concern there.

There is an opportunity for preconceived notions on the part of this minister or any minister to play into the decision as to what operator will have the opportunity to create and to run a short-line railway.

Furthermore in the explanations, the class 1 railway will have to retain the line if the minister decides that they're only dumping it to some other operator to get out from under their obligations. The class 1 railway will have to retain the line; transfer the line to another operator; or go through the Canadian Transportation Act, the CTA abandonment process, and allow governments to acquire a line at net salvage value or pay compensation as specified within CTA abandonment provisions.

I really believe, Mr. Speaker, that while the Bill is well-intentioned, that the process is flawed and the opportunities for abuse in this particular Bill are rampant.

Mr. Speaker, there are, as I mentioned, differing points of view on this particular situation and I would want to refer to a document I received from one of the class 1 railways in terms of their opinion on this Bill and how it leans and is weighted too heavily toward the public ownership possibilities for short-line rails. And this particular document that I received starts out as follows:

Based on reasonable business principles, this legislation diminishes the prospects for growth and development in Saskatchewan's rail industry as well as industries associated with rail. In essence, its unprecedented measures will seriously inhibit if not prevent future private investment in the short-line rail industry.

And that's an outcome that this economy in particular cannot afford, Mr. Speaker.

We've seen much, much government investment in industry in this province with no real advantage. We need to see more private investment. We need to see more private monies coming into this economy in order to achieve some of the real potentialities that this province has to offer.

The goal of creating conditions for the future development of dynamic industries is completely distinct from the concept of guarding past industry structures. In fact they're often at odds. The Saskatchewan government sees them as being essentially the same in this particular piece of legislation.

This document outlines what some of the flaws and the problems are contained within this Act. Three elements, according to the author of this document, stand out. All

provincially regulated railways that require capital to operate will be unable to offer assets as security for their investors.

We talked the last time we were discussing this Bill about the net salvage value and the regulations that require the sale of track to the government if any short-line operator can't continue operations. And when the Act provides for that eventuality only, no new private operation is going to be able to use those assets as security when they're trying to obtain financing to undertake the rail venture.

So railways wishing to discontinue rail operations and dismantle the assets will now be subject to the provincial Highway Traffic Board's arbitrary determination of the value of those assets. No private investor can reasonably be expected to provide capital under those conditions.

Secondly, the scope of the assets covered by this Act is unprecedented. By broadening the definition of railway and railway company, the Act expands the types of private railway assets to include assets of a wide range of companies owning a wide range of assets. And it would include owners of sidings and loading facilities. This effectively spreads the investment problem beyond the railways themselves to companies that are now just simply associated with railways such as grain companies and other smaller, individual operations.

And thirdly, the legislation gives wide discretionary powers to the government to interfere with the commercial operations of a provincial railway. This will give investors pause for thought before coming to Saskatchewan to invest in the rail industry.

In fact one of the provisions in the Act says that if a shipper wants to move goods over one piece of railway and then that ties into a second piece of railway, if the two railway operators can't agree on a rate, the Highway Traffic Board can come in and arbitrarily set the rate. Well that really interferes with the normal transactions you find in commercial endeavours.

There ought to be and there would be, I would assume, in any common sense consideration of this issue, there would be a middle ground. And in a commercial environment, one business is going to find ways to make a deal with another business because it's in their joint best interests. I don't believe we need arbitrary powers dedicated to the Highway Traffic Board to achieve those kind of commercial results.

I've alluded to the widespread ministerial discretion that is allowed in this particular Bill. And, Mr. Speaker, just for the record, I would like to point out some of the specifics of that discretion.

Under provisions of this Act, the minister's approval is required to construct, to alter, or to purchase a railway asset.

An authorization certificate is required to construct, acquire, or alter a railway. The authorization certificate may contain any term or condition the minister considers appropriate. The Highway Traffic Board may make orders fixing terms and conditions between railway owners and railway operators.

The minister must approve the opening of a railway. The minister may employ inspectors who may make orders in

regards to safety or compliance within the Act. The minister may make almost any regulation he or she wants at any time suitable to the minister.

Those are fairly broad powers and are open and subject, I think, to concern by people who will fall under the jurisdiction of the minister.

The industry, the larger railway industry have raised, I know, many concerns with the government about this Act. And one of the things the government has said is there is nothing in this Act that is really significantly different than what railways have to live with under the Canadian Transportation Act, the CTA. And I don't think that that's quite true.

Given the fact that the industry has taken some time to compare very carefully the CTA and the Saskatchewan Railway Amendment Act and have detailed the differences, I think that to say that there's no substantive difference is incorrect. And it's not surprising to me that the government would take that position, Mr. Speaker, because we've heard on many previous occasions among different ministers or from different ministers on different pieces of legislation that the legislation simply is following precedent established elsewhere; it's similar to legislation that exists in other provinces; it's identical in many respects. But we have found time and time again that that's not necessarily the case. There are substantial differences; as in this Act, there are substantial differences.

The scope of the Highway Traffic Board to determine net salvage value of provincial railway assets is not unprecedented according to the government. This was in response to an issue raised by the class 1 railways. This Bill results in the same outcome brought about by the CTA's ability to determine net salvage values of federal railway assets under the CTA.

In their response the railway companies have said to me the results of the Saskatchewan legislation compared to the CTA are very different, and they pointed out the two specific points. First of all, the Saskatchewan Act covers assets well beyond what the federal Act considers to be railway assets. Industries in the Saskatchewan Act other than railways will be affected.

Secondly, the CTA typically determines the net salvage value of small isolated segments of large federal networks under consideration for discontinuance. To an investor, very little of the total picture is affected and the asset base would not be exposed at any given time. By contrast, the legislation here in Saskatchewan would, in effect, apply to the entire network of a smaller provincial railway.

In other words, small, provincial short-line railways that need to salvage assets would most likely need to salvage all of the assets to maintain their financial viability or salvage their financial situation.

So there is a substantial difference in that particular point. And to say that the scope of the Highway Traffic Board is identical to the scope of the Transportation Agency, the Canadian Transportation Agency, is inaccurate in several other ways as well. The agency and the federal minister, pursuant to the CTA, can make regulations only in a few very discreet areas. The minister and the board under the Saskatchewan Act can make

regulations in regard to over 30 items, including the setting of rates. The minister under the Saskatchewan Act has wide power to exempt any railway assets or class of assets from the Act. There is no analogous discretion in the CTA.

The Saskatchewan Act stipulates that the minister may decide, in the minister's opinion, whether an application for approval of construction, alteration, or acquisition is complete. Further, the minister may cause any person to do anything necessary to permit the desired construction or alteration.

Now this is very broad-based discretion which could include the right to expropriate lands. And I think there is a very serious potential problem with that explanation and with that understanding. There doesn't seem to be in our reading of it any similar provision in the CTA.

And under the Saskatchewan Act the minister may suspend, alter, amend, or cancel an authorization certificate, quote, "for cause." And this can be done without a public hearing if the minister so chooses.

Also the Highway Traffic Board may suspend, may alter, may amend, or cancel an operating authority for cause either before or after hearing from the holder of the certificate. The agency under the CTA has no such authority.

Under the Saskatchewan Act, once the Highway Traffic Board suspends a certificate, it may authorize another person to operate the railway and provide service on the line and even establish rates to be charged for the service. There's no ability to do this in the CTA.

Now that, Mr. Deputy Speaker, is an issue that, I think, would raise alarm bells in the minds of anybody who was thinking about coming to this province to provide short-line service.

The Saskatchewan Act says that a crossing cannot be constructed or altered without approval of the minister. There's no requirement for approval of crossings under the CTA.

And the Saskatchewan Bill: after discontinuance, a further process is required pursuant to the Act where a railway is to be dismantled. And there is no such provision requiring approval prior to dismantling in the CTA.

So, Mr. Deputy Speaker, these kinds of differences in the two Acts are going to, are going to provide a more difficult regulatory regime for operators in Saskatchewan than the class I railways experience under the CTA. There's just no question about that. It is a more onerous Act.

All of these conditions, all of these obligations, all of these uncertainties provide a deterrent when it comes to private investment. In fact, it may be more troublesome from the perspective of the legislation that it begs. Regulations can be rescinded easily by order in council without consent of the legislature. If the government wishes to better define these powers, why not redraft the Bill itself? That was a question that was posed to me.

(11:15)

Mr. Deputy Speaker, the other area I want to touch on is the regulations. I look through the legislation and there's several, several pages here that talk about where regulations may be imposed and applied. And, as you know, the saying the regulations are the . . . the devil is in the details applies very clearly to regulations. Regulations are not submitted to public review; they're not considered in detail by the House; regulations are applied at the governmental administrative level. And we have no way of knowing for sure what the regulations are.

And, Mr. Speaker, I think that that is a major concern, whether it's a private company that's going to invest in the short line or a public enterprise of the type that is talked about in terms of community co-ops and so forth. They need to know what the rules are going to be clearly. They know now what they can't do; the regulations will spell out what they must do.

I want to wrap up my comments on this particular Bill by just quoting again from a document that was provided to me by people inside the industry:

By loosening the tight regulatory grip so apparent in this particular draft legislation, the government would do much to promote the rejuvenation of rail in this province.

This would be a significant benefit to both shippers and producers, increasing their competitive transport choices and options. And it would also be a decided advantage to the provincial treasury in so far as movement of freight to rail would lead to reduction in road construction and a renewal expenditure.

Finally a more robust short-line rail sector would have a beneficial impact on the environment, reducing the consumption of fuel and its attendant greenhouse gas impacts.

Mr. Deputy Speaker, short-line rails are a vital component to rural Saskatchewan's infrastructure. And there's no disagreement between myself — or the official opposition — and the minister of the day in terms of the need to maintain a viable short-line industry.

The problem we've got is that we have to encourage that group to establish their operations in this province. And we disagree, I think in substantial ways, with the methodology that this particular Act requires for that to happen.

We are hopeful, Mr. Deputy Speaker, of seeing some changes in this Act and we will address that at a later time. But for now, I will wrap up my comments having made this presentation this morning.

Mr. Huyghebaert: — Thank you, Mr. Deputy Speaker. I'm very pleased to stand today and enter into debate on Bill 52. My remarks will be brief. My colleague from Cypress Hills has covered the details very eloquently and accurately and my first inclination is just to say ditto to his remarks, but I do have a few comments that I would like to make.

We do know the value of short-line railways in this province and the value it is for producers. We know the value it is for

heavy haul, and we know the disadvantage that we're seeing with relation to our roads because of heavy haul going on the road system rather than the rail system.

Mr. Deputy Speaker, I would like to make a comment about a rail line that indicates some of the problems we have. We have a short-line rail system that runs through my constituency and one of the problems we have with that, Mr. Deputy Speaker, is we also have a grain company that basically refuses to use the rail system. And I think if we were putting in some legislation it might have been very appropriate to include something that would entice elevator companies to use the rail system when it's there.

And, Mr. Deputy Speaker, when you see a rail . . . an elevator company that is loading truck after truck of B-trains as a very serviceable heavy haul rail line is going right by their facility, it really does not make sense to me. And I believe that's where some of the earlier legislation could have dealt with.

There's another thing, Mr. Deputy Speaker, that is of concern of mine. In the last number of years we have seen rail lines abandoned and salvaged. Here we are after 10 years of an NDP government, finally we're bringing in legislation that for all intents and purposes would appear good on the surface. Why wasn't it done when rail lines were being ripped up years ago?

We seem to have disseminated an awful lot of rural Saskatchewan and now after it's disseminated, you'll never get a railroad back and it's unfortunate that it's this late in the game.

One of the other issues, and I know my colleague has touched on it, is with this legislation the exit clause of this legislation makes it extremely difficult for owners of a railway line, a short-line railway to get out. And that may not seem like a problem initially, but getting in to the short-line railway when you don't have an exit strategy can be very difficult for an operator to try and buy in.

And I use the example if you have to buy in at a huge price per mile of rail line and then find out that your salvage rates are substantially less and for no reason of your own that you're not making a go of it and you've lost money for a couple of years and you need to exit. You could be losing a whole pile of money.

So under this legislation, it would appear that somebody wanting to get into the short-line rail business would have to have very deep pockets based on the exit strategy.

One of the things, Mr. Deputy Speaker, that I really wish to address is environmental issues. There's nowhere in this legislation that I see anything pertaining to environmental issues. Cleanup for an example, and I'll give you the example of the rail line that has been ripped up and salvaged that goes by where I live. The rail bed is there. The large rocks are still there. And it's been abandoned.

Now I believe that there should be legislation that deals with cleanup and environmental issues of abandoned rail lines or rail lines that are salvaged. I really believe that the cleanup should, at the very least, demand the removal of track materials

including the ballast. It should also include the removal of the bed itself.

Failure to do this, Mr. Deputy Speaker, means that the future taxpayers are going to be footing the bill for any of the cleanup. And in my constituency, we have witnessed some problems already with rail lines that have been abandoned. With the ballast and the cleanup that was not carried out properly, tires for tractors have been wrecked, cattle have had problems injuring themselves on some of the debris that have been left on the rail line.

So for these reasons, Mr. Deputy Speaker, we'll be introducing an amendment to the legislation during the Committee of the Whole. But I really firmly believe that we should have some environmental issues that are addressed in this Bill.

With those remarks, Mr. Speaker, I will conclude and recommend this Bill goes to the Committee of the Whole.

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

COMMITTEE OF THE WHOLE

Bill No. 40 — The Teachers' Dental Plan Amendment Act, 2001

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

Hon. Mr. Melenchuk: — Thank you, Mr. Chair. Today I have Craig Dotson, to my immediate right, deputy minister of Education. Directly behind me, John McLaughlin, who is the executive director of the Teachers' Superannuation Commission; and seated beside him is Michael Littlewood, who's the executive director, legislation and school administration.

Clause 1

Ms. Draude: — Thank you, Mr. Chairman. Mr. Minister, and to the officials, I just have a couple of questions today. When you introduced this Bill you said there'd be a greater consistency in the application of dental plan benefits to teachers in the registered independent schools. You also mentioned that it would affect a small number of teachers.

Can you tell me the approximate number of teachers this will apply to?

Hon. Mr. Melenchuk: — Mr. Chair, we're looking at approximately 20 teachers that will be affected by this, for a total annual additional cost of roughly \$10,000. And just to indicate to the member opposite that the government currently budgets approximately \$6 million annually for its dental plan for teachers.

Ms. Draude: — Thank you, Mr. Chair, Mr. Minister. How many of the independent schools is this going to affect?

Hon. Mr. Melenchuk: — Mr. Chair, this will affect two independent schools immediately, and of course will apply to other schools as they come along in the future.

Ms. Draude: — Are these schools historical high schools?

Hon. Mr. Melnychuk: — Mr. Chair, these are two alternative independent schools but they fall under the classification of registered independent schools just as historic schools would apply as well. And to give an example of one of these, Ranch Ehrlo would be one of these alternative independent schools.

Ms. Draude: — Mr. Chair, to the minister. Are there any applications on file right now for new historical high schools?

Hon. Mr. Melnychuk: — No, there are no new applications with regard to historic independent high schools at this time.

Ms. Draude: — Are there any applications for new alternative high schools being considered by your department at this time?

Hon. Mr. Melnychuk: — Mr. Chair, there are no current applications with regard to new alternative high schools at all.

Ms. Draude: — Thank you to the minister and to his officials. I don't have any further questions.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

The committee agreed to report the Bill.

(11:30)

Bill No. 41 — The Teachers Superannuation and Disability Benefits Amendment Act, 2001

Clause 1

Ms. Draude: — Thank you, Mr. Chair. To the minister, just for clarification. These amendments that are brought forward apply to the teachers that belong to the Teachers' Superannuation Plan, and that I believe is referred to as the old plan. Is that correct?

Hon. Mr. Melnychuk: — Yes that is correct. The old plan is the Teachers' Superannuation Plan; the new plan is the Teachers Retirement Plan. And they are treated separately.

Ms. Draude: — Roughly how many teachers under this plan will these amendments affect?

Hon. Mr. Melnychuk: — Mr. Chair, the amendments with regard to the teachers' superannuation and disability benefits, each of these particular amendments affects a different small group. So it's not an across-the-board piece that we can identify, say these are the total numbers. There's small, little groups within each of these that would be identified with regard to each of the clauses.

Ms. Draude: — Regarding the amendments dealing with restrictions on superannuated teachers being able to provide teacher services without having their pensions reduced, it's my understanding that the boards of education primarily in rural and northern areas are affected the most.

Are there teachers with specific subject training that are lacking in these areas, and how many teachers would be needed to bring the numbers up to adequate levels across the province?

Hon. Mr. Melnychuk: — Mr. Chair, recognizing that this is an important initiative and that this was a result of collective bargaining, and we are allowing teachers now, retired teachers, to participate and also to be subject to recruitment initiatives from various school boards. So the circumstances within each school division would be different.

So subsequently it's not targeted to, say, a math teacher or a physics teacher or a special education teacher. It would depend on the local circumstances within that school division.

Ms. Draude: — Mr. Minister, there is probably a certain group of teachers that are mostly affected. I know that . . . it's my understanding that math and science teachers are the ones that are in highest demand right now.

Is there one specific area that you're finding there's most need for at this time?

Hon. Mr. Melnychuk: — Certainly with regard to northern Saskatchewan, Mr. Chair, there's all classes of teachers that really would be subject to some of the recruitment initiatives there.

In southern Saskatchewan, she's correct — or the member opposite is correct — in identifying that certainly senior math teachers, special education teachers, practical and applied arts . . . many of the categories that I outlined when we were in estimates recently in terms of what we like to see with regard to our recruitment and retention initiatives and the million dollar fund that we've created, I identified at that time some of these with regard to math, sciences, special education, and of course practical and applied arts.

Ms. Draude: — Mr. Chair. Thank you, Mr. Minister. I think the biggest concern that was brought forward to me, not just by the SSTA (Saskatchewan School Trustees Association) but also recognized by the STF (Saskatchewan Teachers' Federation) that this amendment — recognizing there's a teachers' shortage — the amendment might actually deter a board from looking for a teacher because they can use one or two of the teachers that have retired. And it may mean that a young person that may have the qualifications for the job won't be able to get it.

Now I know that this isn't a concern that maybe we are looking at right now because there is a teacher shortage. But being that it's going to be in legislation, there is a concern at the back of people's minds that maybe it's going to be more difficult for a young person to get a job in certain areas.

If you already know somebody who can do the job or you know a couple of people who can fill in and take the, take the place of it, it might be just easier to just go with what you've got rather than looking for a new teacher.

I don't believe that the boards of education are intending to do that but down the road there may be some changes.

Now have you thought about this and what kind of processes

you're putting in place to make sure that there is . . . the young people that are looking for jobs will have all the opportunities that should be available to them?

Hon. Mr. Melenchuk: — Mr. Chair, the member opposite does bring up a very important point. And it certainly is the intention of the groups who have been involved in putting forward this initiative, the Saskatchewan Teachers' Federation, the School Trustees Association . . . Of course the department will be monitoring the impact of this change to determine if it has any negative consequences.

Certainly, I believe that most boards of education would prefer to hire a young teacher, recognizing that stability and having someone who is there for the long term is important to that school division and that these retired teachers will probably fill areas where it would be very difficult or impossible to hire a recent graduate coming into the system.

So I see them working together but it is certainly is something that we would be monitoring on a regular basis.

The Chair: — Why is the member for Wood River on his feet?

Mr. Huyghebaert: — With leave to introduce guests, Mr. Deputy Speaker.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Huyghebaert: — Thank you, Mr. Deputy Speaker. And thank you to my colleague from Kelvington-Wadena and the minister for allowing me to introduce some guests in the east gallery.

Mr. Deputy Speaker, we have 18 grade 4 students from Assiniboia along with their teacher, Bev Coldwell, and chaperones Laurie Good, Terri Fender, Bob Mayes, and Leanna Batty.

I have not had a chance to talk with the students as yet, which I'm going to right after the next few minutes in here. But I've already forewarned them that this is very sedate part of how the legislature works, which is good to see. They missed the boisterous question period and I think they would have liked to have seen that, but at least they'll see the workings of the House when it's very quiet.

So would members please join me in welcoming the group from Assiniboia.

Hon. Members: Hear, hear!

COMMITTEE OF THE WHOLE

Bill No. 41 — The Teachers Superannuation and Disability Benefits Amendment Act, 2001 (continued)

Ms. Draude: — Thank you, Mr. Deputy Chair, and I'd like to also welcome the students here from my colleague's area, from Wood River.

Right now, we're talking about a Bill on education and teachers that will be hired in the future. And even though it maybe doesn't make a lot sense right now, it's going to have an impact on you.

Mr. Minister, I know what you're saying about the teachers, making sure that the boards will be hiring the teachers that's best qualified, making sure we can get fresh blood into the school and that type of thing. I'm hoping that there is some agreement with the STF and SSTA that they will be watching this and making sure that it's to the benefit of not just the teachers but the school boards and the children as well.

The one good thing about this department — although there's many good things about it — but I believe that we're all working in the best interests of the children and I'm sure that this is something that we'll be watching.

I've heard that many teachers and stakeholders groups have, for a number of years, been saying that the restriction of pension benefits based on the number of days worked after retirement is not appropriate because a person's pension is their entitlement. And they didn't think it was within the government's right to penalize them for being able to . . . for working. Could you tell me how long the practice has been in place?

Hon. Mr. Melenchuk: — Mr. Chair, it's my understanding that the actual rule with regard to restrictions on retired teachers goes back many decades and there was some fine-tuning recently with regard to the 60-day rule. But the 120-day rule, we're looking at probably going back to the time that the plan was created.

Ms. Draude: — Mr. Chair, Mr. Minister, can you tell me in the last few years — and maybe you don't have the exact number — but give me what the average number of days worked past retirement was and the amount of money that has been withheld from their pension plan as a result of it?

Hon. Mr. Melenchuk: — Mr. Chair, because the rules are well-known to retiring teachers, very few of these teachers would have actually exceeded the 120 in the first year of the 60 day subsequent. But it is my understanding that there have been a few and they would amount to probably less than 20 teachers in any given year.

Ms. Draude: — Can you tell me how much money that would involve then?

Hon. Mr. Melenchuk: — I'm not able to give the member opposite a global number, but just in rough terms, it would be roughly \$2,000 for each month that they went over. So if there were 20 teachers, it would work out to roughly \$40,000 per month over and above the 120/60 rule.

Ms. Draude: — Thank you, Mr. Minister. I don't have any further questions on this. I'm told that this amendment is something that both the SSTA and the STF have been looking forward to seeing the passage of. So I'm sure that they're saying, let's quickly get this put in place, so thank you.

Clause 1 agreed to.

Clauses 2 to 8 inclusive agreed to.

The committee agreed to report the Bill.

**Bill No. 54 — The Education Amendment Act, 2001/
Loi de 2001 modifiant la Loi de 1995 sur l'éducation**

Clause 1

Ms. Draude: — Thank you again, Mr. Chairman. Just to clarify some of the concerns that I have with this. When I read the Bill, if a teacher has been terminated, the teacher has 20 days to apply to the minister for the investigation of that termination. And if the teacher has been given a formal reprimand, the teacher has 15 days to apply to the minister for an investigation for a formal reprimand. Is this correct?

(11:45)

Hon. Mr. Melnychuk: — Mr. Chair, no, the member isn't correct in that assumption. It's 20 days for a formal reprimand, suspension, or termination.

Ms. Draude: — Thank you, Mr. Minister. Regarding the formal reprimand, I believe my colleague from Canora-Pelly brought forward some concerns he had with regard to the definition and the application of the term as it can apply to a teacher. Can you give me what the department's definition of a formal reprimand is?

Hon. Mr. Melnychuk: — Mr. Chair, certainly the statute reflects the language that was in the collective agreement. The parties to that collective agreement took this terminology very seriously. The agreement was that the terminology would be formal reprimand.

And what a formal reprimand is is basically written documentation with a clear indication for the reasons for the reprimand, which would then allow the external reference committee to look at that reason. So this would be written documentation on a teacher that would clearly identify the reasons for that reprimand.

Ms. Draude: — Thank you, Mr. Minister. I still think the definition is a little vague and maybe it can be open for interpretation. I think that there are teachers who it's necessary for them to interact with each other and with the principals and with parents and perhaps even someone from the Department of Education.

And I think there should be some kind of assurance for teachers who might be wondering if they won't be arbitrarily given a formal reprimand if they just happen to disagree with a parent or with a teacher. And I'm wondering if you can comment on this for me please.

Hon. Mr. Melnychuk: — Well certainly, Mr. Chair, we recognize that this particular language was seriously considered. We also recognize that in the current system formal reprimands already occur. What this Act does is provide an opportunity for the ability of the teacher who has been formally reprimanded to have an appeal process. And what this does is itemize what that process would be, utilizing the current

external reference committee.

Ms. Draude: — Mr. Minister, is there a limit on the number of formal reprimands a teacher can receive?

Hon. Mr. Melnychuk: — Certainly when you're dealing with employment relationships in general, a formal reprimand of course is one of the more serious. There is no limitation in terms of numbers of formal reprimand. Obviously this would be on the teacher's record.

This Act provides an opportunity for the teacher to appeal that formal reprimand. But in terms of categorizing the serious nature with regard to employer/employee relationships, then we're talking about formal reprimand, suspension, terminations, all of which now are appealable.

Ms. Draude: — Is there a number of formal reprimands that can be received before a teacher is ... before there is a possibility a teacher could be terminated?

Hon. Mr. Melnychuk: — That would depend entirely on the board of education, which is the employer of the teacher.

Ms. Draude: — Mr. Deputy Chair, Mr. Minister, I note that the Bill actually prohibits boards of education from entering into a contract with another teacher until a board of reference has released its ruling on a teacher. Keeping that in mind, if there are a series of formal reprimands being investigated, does that mean that the teacher is still going to be allowed to teach during that time?

Hon. Mr. Melnychuk: — The clause that the member opposite is referring to applies to suspensions. So in the instance where there was a formal reprimand, that teacher would still be teaching in the system.

If it was a suspension, then what the clause would preclude would be that board of education hiring someone to replace that teacher until the appeal proceedings had the opportunity to run their course.

Ms. Draude: — Mr. Minister, if a suspension takes place, it's just a substitution teacher brought in at that time?

Hon. Mr. Melnychuk: — The member opposite is entirely correct, that in that circumstance where there was a suspension and the days or months of the suspension were outlined, then the board of education would hire a substitute teacher to replace that teacher in the classroom.

Ms. Draude: — Mr. Minister, I just have one other question. What exactly ... why was this idea of a formal reprimand introduced? Who brought it in, and what was really the intent of bringing it in?

Hon. Mr. Melnychuk: — Mr. Chair, Mr. Deputy Chair, recognizing that the concept of formal reprimand is not something that this statute introduces, formal reprimands have been out there in the collective education system for some time.

What this Act does is provides an avenue of protection to the teacher; to allow for an independent panel to review the

circumstances and the reasonings surrounding these formal reprimands, and then to provide a ruling and an opportunity to overrule the reprimand if the reference committee felt that it was unjust.

So this is really an initiative of teachers. The teachers felt that this was very important to them to have this additional protection and this appeal mechanism in place, and after serious negotiation it was included in their collective bargaining and serious discussion with regard to the language and how this would be applied. And this has been recognized in this statute.

Ms. Draude: — Mr. Deputy Chair, to the minister, if it's something that's been talked about or an issue for some years and something that the teachers brought forward and has agreed to, then I guess far be it from us to say that it's something that doesn't work.

So I thank you and I thank your officials, and we look forward to the Bill being introduced.

Clause 1 agreed to.

Clauses 2 to 8 inclusive agreed to.

The committee agreed to report the Bill.

Bill No. 39 — The Occupational Health and Safety Amendment Act, 2001

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

Hon. Mr. Trew: — I thank you, Mr. Deputy Chair. Seated to my left is Sandra Morgan, the deputy minister of Labour; and directly behind Ms. Morgan is Jeff Parr, who is the executive director, occupational health and safety division.

Clause 1

Mr. Weekes: — Thank you, Mr. Chair. I'd like to welcome the minister and his officials here today. Bill 39, the occupational health and safety, it seems that this Bill is widely accepted by both industry and labour. I just have a few questions I'd like to ask the minister.

Mr. Chair, I'd like to ask the minister to give us a bit more detail about the issues that were reviewed by the Tri-partite Mines Regulations Review Committee starting back in 1997.

Hon. Mr. Trew: — Mr. Deputy Speaker, I thank the hon. member for the question. What led to this is the mines regulations that were passed in 1978 have been reviewed by, as the hon. member points out, business — that's the mining sector — and by the unions involved in mining. Both, if I can describe it, parties — it wasn't just two people, but both portions of the mining industry — reviewed the regulations, updated them from 1978 to, I will describe it, to their now 2001 regulations.

And the offshoot of it is the Bill before us which, if I can describe it in its most simplicity, what this Bill does is transfers some of the authority, if I can describe it, from Mr. Parr to the

chief mines inspector. And that's as it resides in, as I understand it, every other jurisdiction throughout the Commonwealth.

(12:00)

The chief mines inspector has the authority over the mines regulations. And this is just bringing us a little more current, and if I can conclude by saying it is a return actually for us in Saskatchewan in that respect. It's a return to what it had been before the last amendments to The Occupational Health and Safety Act.

Mr. Weekes: — Thank you. Mr. Chair, another question. How long did that committee meet, and could we have the recommendations of that committee given to the official opposition?

Hon. Mr. Trew: — Mr. Deputy Chairman, the committee started meeting in May of 1997 and has met right through to May of 2000, and many, many meetings and much work.

As I pointed out earlier, what they were doing was reviewing all of the mines regulations and bringing them up to current. The draft regulations have not been completed yet; we expect them sometime this fall. Once we get them we'd be happy to share that with the opposition. We just do not have that printed matter yet.

Mr. Weekes: — Thank you. Mr. Chair, I'd like to ask a question concerning the chief mine inspector. Has there been problems or concerns in the past where the chief mine inspector made orders or recommendations about certain mines or issues that have not been followed because he didn't have the authority in the past and is this now correcting that problem?

Hon. Mr. Trew: — Mr. Deputy Chair, the answer is no, there's not been problems in the past with this. What this Bill does is formalize what the practice has been now for some years. The practice has been in Saskatchewan for the chief mines inspector to do the work that this Bill more formally recognizes, and as I point out, brings into line with other jurisdictions in that regard and with previous practice in Saskatchewan.

But it's no change for the chief mines inspector, it just . . . I'll describe it as formalizes or, you might choose, legalizes some of the work that the chief mines inspector has been doing.

Mr. Weekes: — Thank you. Will the chief mines inspector need to be upgraded as far as qualifications concerning the change in regulations?

Hon. Mr. Trew: — Mr. Deputy Chair, the answer is an unqualified no, the chief mines inspector is very well qualified under this Act.

Mr. Weekes: — Thank you. As you said, Mr. Minister, you are intending on introducing new mining regulations later this year. Will the industry be able to review and basically sign-off on those regulations before they are enacted?

Hon. Mr. Trew: — Mr. Deputy Chair, the industry is in fact reviewing, reviewing those regulations right now. And that's what we're waiting for to come back from the industry and the

labour side that are reviewing it. When that comes we will have our draft regulations.

Mr. Weekes: — Thank you very much, Mr. Minister, and your officials.

Clause 1 agreed to.

Clauses 2 to 7 inclusive agreed to.

The committee agreed to report the Bill.

Hon. Mr. Trew: — Mr. Deputy Chair, I want to thank my officials for their help through this and thank the hon. member for Redberry Lake for his questions.

The Deputy Chair: — Thank you, Mr. Minister.

THIRD READINGS

Bill No. 40 — The Teachers' Dental Plan Amendment Act, 2001

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

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

Bill No. 41 — The Teachers Superannuation and Disability Benefits Amendment Act, 2001

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

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

Bill No. 54 — The Education Amendment Act, 2001/ Loi de 2001 modifiant la Loi de 1995 sur l'éducation

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

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

Bill No. 39 — The Occupational Health and Safety Amendment Act, 2001

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

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

COMMITTEE OF FINANCE

General Revenue Fund Labour Vote 20

Subvote (LA01)

The Deputy Chair: — I recognize the minister and ask the minister to introduce his officials.

Hon. Mr. Trew: — Thank you, Mr. Deputy Chair. Seated to my left again is Sandra Morgan, the deputy minister. Directly behind me is Cheryl Hanson, the assistant deputy minister.

To my right and back behind is Dawn McKibben who's director of human resources and administration. We have John Boyd, sitting directly behind Ms. Morgan. Seated at the back of the room is Jeff Parr, the executive director, occupational health and safety division. Eric Green, the acting executive director of labour services, is at the back, as is Peter Federko, the chief executive officer of the Workers' Compensation Board.

Mr. Weekes: — Thank you, Mr. Chair. And welcome again to the minister, and your officials.

I'm reading from the report of the Provincial Auditor, 2001 Spring Report, and the auditor has a couple of concerns with how the Workers' Compensation Board operates. One is "Workers' Compensation Board) needs disaster recovery plan," which I would like to read into the record, his recommendations. It says:

We continue to recommend the WCB should prepare an adequate disaster recovery plan and test that plan to ensure it works.

I'd like to ask the minister and his officials, are you going to act on his recommendation?

(12:15)

Hon. Mr. Trew: — Mr. Deputy Chair, the question is really around how the board would continue to operate in the event of a major disaster in its information technology, that sort of thing. And I'm advised that the plan is progressing along and by the end of the year there is an expectation that it will have been tested and up and running, the disaster plan.

Mr. Weekes: — Thank you, Mr. Minister. Mr. Chair, I would like to go on to the second item that the Provincial Auditor brings up. It's concerning . . . He says, the WCB (Workers' Compensation Board) needs to provide public disclosure of payments, and the recommendation is as follows. The Provincial Auditor says:

We continue to recommend the WCB should publish a list of persons, other than injured workers, who received money from it and the amounts the person received following . . . (Public Accounts) current minimum disclosure amounts. Alternatively, the WCB should discuss with . . . (Public Accounts) a different public disclosure requirement to meet the MLAs objectives.

And I'd just like the minister to respond to the Provincial Auditor's concerns about that area.

Hon. Mr. Trew: — Mr. Deputy Chair, I'm advised that this matter too is proceeding forward. And in fact the board has done its bit and it's now referred back to the Public Accounts Committee what is needed. The next step is for the Public

Accounts Committee to meet and consider this item and make a decision on how it's to proceed further.

Mr. Weekes: — Thank you, Mr. Minister, Mr. Chair. I have been notified about at least one and possibly a number of trips to various parts of the country and to North America. The one in particular is concerning a group of WCB officials that I am told went to a seminar in Boston, Massachusetts.

I would like the minister to confirm what trips or seminars the officials go to, and in particular this Boston one, and if he could, outline what officials go and the circumstances around the seminars and the cost of going to the seminars.

Hon. Mr. Trew: — Mr. Deputy Chair, the Boston seminar is a part of the business process simplification unit, if I could describe it that way, or team would be more accurate, that the Workers' Compensation Board has set up, Mr. Chair.

They have been attending . . . or have attended a seminar in Boston. There are nine team members; three of the team members have attained the process master certificate. I think that's important to note, that progress is made with this team.

I should say that the process simplification will provide better service to the clients of the Workers' Compensation Board, be they injured workers or be they the businesses that fund the board. This replaces bringing in an outside consultant for much of this work and it really helps the process at the board.

And I should add . . . Oh, I'm sorry, there was a question around the cost too. We do not have that cost with us today but we'll provide it in writing if that's agreeable. We'll get that information and get it to you in a reasonably short time. I'll even define reasonably short as not months; we're talking I would think a week, roughly.

And the other thing I want to point out to the member is that subsequent to the Saskatchewan Workers' Compensation Board starting this business process simplification, I'm advised that the Workers' Compensation Board in Manitoba and in Nova Scotia are now following a similar process and attending to the seminar in Boston.

Mr. Weekes: — Thank you, Mr. Minister. I have a number of questions concerning the Dorsey report, regarding the WCB. Could you give us the final cost of the Dorsey report?

Hon. Mr. Trew: — Mr. Deputy Chair, the cost is very, very close to \$102,000.

Mr. Weekes: — Thank you. The government received this report on October 3, 2000, yet did not release the report until the spring. I would like to ask the minister, Mr. Minister, can you tell us what took place within the intervening months as far as any consultation or other review by the government, or did the report just simply sit on the shelf in those months?

Hon. Mr. Trew: — Mr. Deputy Chair, there is really nothing new in the answer that I'm about to give, from what I've provided in the past. The report was tabled with the Minister of Labour; there was a change in ministers of Labour — I was appointed — and it took . . . Let me describe it a different way.

The government didn't formally deal with it until I was able to bring a recommendation forward to cabinet and ultimately we — or exec council — and ultimately we dealt with the Dorsey report and quite happily made that report a public document. In fact, as you will recall, we invited Mr. Dorsey here for the release of the Dorsey report and I'm very pleased to say that we've embraced all of the recommendations of the Dorsey report.

Mr. Weekes: — Thank you, Mr. Chair. I'll ask, Mr. Minister, in your press conference the day you finally released the report, you announced that you were prepared to implement all of Mr. Dorsey's recommendations. How did you arrive at this conclusion and did you consult with any stakeholders to help you arrive at this conclusion? And if so, who did you consult with?

Hon. Mr. Trew: — Mr. Chairman, the consultation was really the Dorsey process. Mr. Dorsey did the consultation, wrote up his report, presented it to the Minister of Labour, and the rest is history, as I say. We're pleased that Mr. Dorsey did what we think is a very, very thorough job of consulting, and issued a very, very good report and one that we were able to embrace all of the recommendations. We've accepted all of the recommendations and we'll be implementing them all.

Mr. Weekes: — Thank you. Mr. Deputy Chair, I'd like to ask the minister, recently your government received a report on the health care system and stated that public hearings would be necessary before you made any decisions.

Yet in this case, you are prepared to implement everything without any form of consultation before the release. Why is this?

Hon. Mr. Trew: — Mr. Chair, the Dorsey report was an administrative review. That was the challenge that was put to Mr. Dorsey at that time.

Now we have a committee of review, which is a legally mandated review that has set up. We were very, very pleased that Mr. Dorsey was available to chair the committee of review.

And this is the legislative review, if I can describe it, of the Workers' Compensation Board. And that committee has been struck now and we're looking forward to the committee of review doing its work, completing its work and then, sometime I believe this fall, presenting a report to us.

Mr. Weekes: — Thank you. I'd like you to go over some of the recommendations. You said some of the recommendations in the Dorsey report need legislative change, and obviously these changes won't be brought forward to this session.

Could you tell us which ones need legislative change and why? And I assume you will introduce these changes next sitting, next session.

(12:30)

Hon. Mr. Trew: — Mr. Chairman, the two parts of the Dorsey report that require legislative changes are, one, a recommendation that the board of the Workers' Compensation

Board move to a part-time board. We currently have a full-time three-member board: an appointment representing business, an appointee representing labour, and an independent chairperson — a three-person board.

One of the recommendations is that that board become a part-time board; and that flows really from the other legislative change that's going to be required, and that is that we move to an independent-from-the-board appeal process.

Currently injured workers can appeal to the three-person board is, I won't describe it as the penultimate, but it is — because the medical tribunal is the penultimate review — but this moves it from an appeal to the board to an independent body for an appeal. And this is something that injured workers have been asking for, for many, many years. That's the second legislative change.

And I think — I'm not sure if you asked this or just assumed that we would be making, introducing legislation next session — I will say that is my plan.

Mr. Weekes: — Thank you. Of those changes that do not require legislative approval, do you have a timetable for implementation of each of those recommendations?

Hon. Mr. Trew: — Mr. Chair, I thank the hon. member for the question. At the Compensation Board they're working on this — the Dorsey report — as we speak; but primarily or largely developing the plan of implementation. Although I don't want to leave the impression they're delaying; some of the recommendations are easier to deal with than others.

The next critical step on this process is the appointment of the next chairperson of the Workers' Compensation Board. And we're in a process of seeking a new chairperson as we meet today. That's the next step.

After that, I think it's fair to say, deadlines will be established, the board will present the plan for implementation, deadlines will then be set. As a matter of principle, I don't think there's any view that we should be delaying the implementation of the Dorsey recommendations.

Mr. Weekes: — Thank you, Mr. Minister. Have you estimated the cost to Workers' Compensation for a full implementation of the recommendations?

Hon. Mr. Trew: — Mr. Chairman, that's part of what is being developed, is the costing of the implementation of all of the Dorsey reports. When we have the new Chair of the Compensation Board, that will be presented, I'm advised, to the chairperson and to me as the minister at that time.

Mr. Weekes: — Thank you. When will the new chairman be appointed?

Hon. Mr. Trew: — Mr. Chairman, I'm advised that the competition closed, the applications closed last week. And so we're moving into the shortening or they're moving into the shortening of the applicants, and then interviewing will be starting, I think, next month . . . late this month. Later this month the interview process will start.

I can't give you a definite date, Member, for when it will be done, but it is advancing and we're anxious also to have a new Chair.

Mr. Weekes: — One of the recommendations made by Mr. Dorsey is that all policy directives and decisions made by WCB should be made public. Was this in response to changes that WCB made to the independence allowance, which they never bothered informing WCB clients who were entitled to benefits with the change?

Hon. Mr. Trew: — Mr. Chairman, Mr. Dorsey's recommendation was made so that all injured workers could readily access the policies and the procedures that the Workers' Compensation Board use in their determination and adjudication of each worker's compensation case.

I'm advised that now we have a situation where all of the policies are on the Internet, and more recently, all of the procedures are on the Internet. The Workers' Compensation Board has done that one already. They're now meeting that requirement.

And I'm further advised that there is a process in place to update, on an ongoing basis, the policies and the procedures as any of those may change.

Mr. Weekes: — Thank you. Again on the independence allowance, Mr. Minister. We have heard that WCB was now making independence allowance available to those workers who suffer permanent impairment on the job. Could you give me a brief explanation of how this allowance works? How many will be eligible to receive it? The total cost you expect? And who and where will the money be coming from to pay for the allowance?

Hon. Mr. Trew: — Mr. Chairman, I thank the member for that very important question, because the independence allowance . . . I think we should be as clear as we can about what it is for. It is a tragic truth in not only Saskatchewan, but all of the provinces, that every day people are injured on the job. It is a tragic truth that some percentage of those people who are injured suffer a permanent functional impairment.

The independence allowance is to acknowledge that . . . for example, whenever there's painting needed to be done at our place, I usually will get my family lined up and we'll paint. But the truth is I do most of the painting at our household.

Injured workers, tragically, can't always continue to do the painting, the washing windows, the normal maintenance, the mowing the lawn, the shovelling of the walk, many of the day-to-day things that those of us that are reasonably healthy-bodied take for granted.

So there was an independence allowance created that would help injured workers to stay in their homes, if I can describe it that way, with the minimum disruption to their family lives and so on that is possible. Unfortunately, we can't always make bodies whole and perfect but we can provide an independence allowance recognizing some additional costs.

There is a hundred per cent independent allowance paid for

injured workers who have a 40 per cent or greater permanent functional impairment rating. That's been the policy for some time. More recently it has been determined that for injured workers rated in the 10 to 39 per cent of a permanent functional impairment, that the Compensation Board would pro-rate that independence allowance accordingly.

I'm pleased to report that to date there are 400 injured workers that we have found that were previously not receiving in that 10 to 39 per cent range of independence allowance; there's 400 of them that now are. And I'm very pleased to report that this is an automatic payment now that they will get each year. The cost of that, I'm advised, is just under a million dollars.

I'm further advised that the Compensation Board continues to look for other employees. They're now in the process of getting an actuarial to look at it to determine what all of the costs are but they've identified the easiest to find ones, I think that's fairly safe to say. Not that they've identified all of the workers that might qualify, but so far it's at a million dollars. I don't think it's productive for me to speculate on where that dollar figure might ultimately end.

Mr. Weekes: — Thank you, Mr. Chair. I note that it was a policy change that brought this independence allowance to the public's eye, and what concerns me is the amount of time that was allowed to pass.

I'm wondering why WCB didn't tell workers about this, especially when we've been given to understand that this policy change was recommended and implemented more than two years ago. Could you please explain your department's rationale behind this, Mr. Minister?

(12:45)

Hon. Mr. Trew: — Mr. Chairman, when the policy decision was made to make the improvement to the permanent functional impairment payment, that was posted, the Workers' Compensation Board posted that on the Web site at that time and as quickly as the policy was passed.

The matter came to my attention, obviously this year as minister, and I'd some discussions with the board and they agreed to more actively search out for injured workers that would qualify for the, this independence allowance. And the rest brings us up-to-date in terms of the answer that I provided previously.

But I'm very pleased with the actions of the board, as we're actively now moving to make sure that every injured worker that should have the independence allowance does get it.

Mr. Weekes: — Thank you. Still on the Dorsey, one of the more interesting recommendations is that an independent appeal tribunal will be established. Can you explain how this will work? And what safeguards will be in place to ensure that it is in fact independent from WCB and the government in making its decisions?

Hon. Mr. Trew: — Mr. Chairman, the question of the independent review appeal panel — if I can describe it that way — is a most interesting one. We have not made a decision on

how that is going to operate. I have stated repeatedly publicly that we have a committee of review chaired by Mr. Dorsey and businesses, labour . . . interested parties have an opportunity to make their views known to that review commission. And I urge them to do so there. I will very much look forward to the recommendation coming from there.

In addition, we've talked a bit about we have a new chairperson at the board that we're . . . I mean we don't have, but we will have reasonably soon. This will be a matter that the new Chair of the board is going to want to consider. And I look forward to having some discussions with that new Chair, the board, and the officials around this whole matter. Nothing but nothing is cast in stone at this moment.

Well I shouldn't say nothing. What is cast in stone is our absolute determination to make this work.

Mr. Weekes: — Thank you. Has there been a process put in place that will be used to select the members on the tribunal, or are you waiting for the new Chair to make those decisions?

Hon. Mr. Trew: — Mr. Chairman, no, we're nowhere near that point yet.

Mr. Weekes: — Again, on the tribunal, do you foresee this tribunal working similar to that of the Labour Relations Board as a quasi-judicial body?

Hon. Mr. Trew: — Mr. Chairman, I genuinely thank the hon. member for the questions and his interest in it. We're just . . . the questions are ahead of where we are in this process right now. We just, just do not know the answer to that. There's a step-out process that has to be followed so that we can get the best recommendations.

We are determined to have the system work, but I just can't answer that question because there is no answer at this stage.

Mr. Weekes: — I appreciate your answer, Mr. Minister. I have a number of questions concerning how . . . about the operation. But one of the concerns is this body or tribunal doesn't end up another, basically, another appeal process that's a year or two behind on its appeals.

Are there any safeguards you can tell us about today that will rectify that problem?

Hon. Mr. Trew: — Mr. Chairman, I think the best way I can answer the question is to say that I share the concern, that we are not interested — I'm not, the department is not, the Compensation Board is not interested — in this becoming another appeal process that simply takes longer for an injured worker to access. We're interested in having a process that works demonstrably well, that's open, accountable, as far as those issues can be, and we do not wish for it to slow the process down at all.

While I'm on that though, I do want to say that the Saskatchewan Workers' Compensation Board, while the appeal processes have problems and while . . . I don't want to understate nor overstate it. There are problems and there are timeliness problems, but my understanding, every time I've

checked with other jurisdictions, is that the Saskatchewan Workers' Compensation appeal process works remarkably well compared to virtually every other jurisdiction.

So I say that in defence of the good people that work daily at it, but I absolutely, freely acknowledge that there are problems. If there weren't, we wouldn't be having this discussion today.

Mr. Weekes: — Thank you. Will this independent tribunal be available to those who have long-standing claims with WCB, and also to people that have been turned down recently?

Hon. Mr. Trew: — Mr. Chairman, again we're just nowhere in developing this legislation at this point. I would urge that if organizations or individuals have views on that, that they make them known to the committee of review — that would be a very appropriate place at this moment — and then that will be considered there.

And as I say, I look forward to getting the report from the committee of review. The consultation that I expect to have with the incoming president, or Chair rather, of the Workers' Compensation Board . . . There's some things to happen, but we just don't know the answer to that question at this stage. It's just premature.

Mr. Weekes: — Thank you. I have a question too concerning the Worker's Advocate's office.

Many people rely on the Worker's Advocate office and . . . well people are helped by this office; they tell us they are very satisfied with the office and the staff. And I was just wondering, what are you proposing to do about the long waiting lists at the Worker's Advocate's office and what do you propose to do about this and help in that area?

Hon. Mr. Trew: — Mr. Chairman, again I thank the member for the question. The Worker's Advocate's office is not a simple operation. Because though I'm fairly familiar with it and I share a frustration with the time it takes for an appeal from start to finish — and in fact I shared that with the Worker's Advocate's office staff when I was over there earlier this year — and I agree with your comments about the Worker's Advocate and his staff being very fine people who work very diligently.

What we've done, been able to do is we've added some staff components. We have been working on administration areas to try and make that work better. One example out of the Dorsey report would be that the Worker's Advocate's office should be able to access, electronically, injured workers' files that they're working on. Well that's one of the recommendations. It hasn't happened yet but we're looking forward to that happening and that facilitating the operation at the Worker's Advocate's office.

Probably as importantly is the matter we were talking about a short while ago, the independent appeals process. I'm thinking that will relieve some of the pressure of the Worker's Advocate's office as well.

There's that. There's more I can provide and happy to provide more detail of the things that are happening at the Worker's Advocate's office. But it's one . . . I think the best answer I can

give is it's an area that we're concerned with. We're trying to funnel increased resources to try and address that, I'll describe it as a backlog, in the appeal process.

Mr. Weekes: — Thank you. I notice that another of the recommendations that Mr. Dorsey refers to as a complete transition to independent oversight. I'd like to ask, Mr. Minister, does this mean you as a minister would be even more removed than you claim you've been? Would it get to the point where you or your successor will not even be willing to answer questions about WCB operations either in the question period or in estimates?

Hon. Mr. Trew: — Mr. Chair, the short and the long answer is no. There will always be a minister responsible to answer the questions regarding the Workers' Compensation Board.

Mr. Weekes: — As far as the operations of WCB, can you describe if any of the proposed recommendations deal with the split of duties between the CEO (chief executive officer) and the chairman?

Hon. Mr. Trew: — Mr. Chair, as I understand the question, it was: did Mr. Dorsey, in his report, address the delineation of the Chair of the Workers' Compensation Board and the CEO. I believe that was the question, and the short answer is no, that was not commented on in the Dorsey report.

I will say that it is in the legislation and there's a differentiation. The chief executive officer is responsible for the staffing and the daily and the ongoing operation, if I can describe it, the operations side at the Workers' Compensation Board, and the Chair is responsible for the policy and the governance side.

Mr. Weekes: — Thank you. One of the major complaints we hear from WCB activists is the need for independent medical opinions. People often find that the word of their own doctor is completely discounted for that of doctors paid for by the WCB. Do you see a problem with this and do you plan to make any changes?

Hon. Mr. Trew: — Mr. Chair, I'm advised that the last amendment to the compensation Act removed from the Workers' Compensation doctors the ability to direct the care of an injured worker. They couldn't direct the medical treatment or care.

The injured workers' care is now directed by the injured workers' doctors, and these are self-selected doctors. The Compensation Board has medical advice available to help the people who work at the board understand what is taking place with an injured worker — to understand perhaps more medically what the injury is about — and it will help facilitate in the moving forward of that injured worker's case. But again I say, the treatment is directed by the injured worker's own doctor.

Mr. Weekes: — Thank you. Mr. Chair, I'd like to ask the minister: does your government have any intentions of revisiting the concept of establishing an occupational disease panel in relation to WCB coverage which the government was very close to doing a couple of years ago?

Hon. Mr. Trew: — Mr. Chairman, again, the short answer to that is no, we're not anticipating moving back. We see it as a significant step back in Workers' Compensation benefits.

Mr. Weekes: — Thank you. Understandably there are many people, particularly employers, who would be concerned about such a move. They would fear that it would open the door for coverage of all manner of illnesses now considered work-related injuries.

However, one occupation that argues for something for their industry is the firemen. We've met with the firemen — and I'm sure you did as well, Mr. Minister. The professional firefighters we visited with have a great deal of concern about occupational diseases. They told us that firefighters have four times higher incidents of heart disease and cancer than the general public.

Is this something your department is aware of, and has there been consideration to looking at these diseases as possible work-related for firemen specifically?

Hon. Mr. Trew: — Mr. Chair, I'm very pleased about this question because it gives me a chance to share what I view as good news.

We have a chief occupational medical officer in Saskatoon. The Compensation Board is working with the chief occupational medical officer and with firefighters. They're gathering the latest information on this very important matter.

The only thing I could possibly say further to that is that I discussed this with the board, I discussed it with firefighters, and I'm following the progress that they're making. And I'm very pleased that they're looking at the most current research that's available and hopefully can move this along to a proper and a just resolution for all involved.

Mr. Weekes: — Thank you. In fact, Mr. Minister, life expectancy for the average fireman is a full 10 years younger than the general population. This is not because they are killed on the job. In fact the last firefighter to be lost directly as a result of a fire was in the early 1980s. So something else is at play here.

Has your department examined this and how do you respond to statistics like this?

Hon. Mr. Trew: — Mr. Chair, I too know the statistics. I think the answer I gave previously would be hard for me to improve upon. We're looking at the statistics from a safety perspective. I know that the safety of firefighters, the use of Scott Air-Paks, the methods of fighting fires have improved hugely from the 1950s or the 1960s or even the 1970s.

Even though we think this year is the same as last year which was the same as the year before, things do change, things do progress. Firefighters become more and more aware and we no longer have the old smoke-eaters that were around 20 and 25 years ago, and they've referred to themselves as smoke-eaters because they go into a fire basically unprotected.

Now that's not to say that Scott Air-Paks is the total answer. We do everything we can on the side of occupational health and

safety in what is recognized as inherently a very dangerous job.

With respect to the adrenalin flow that comes and the medical concerns related to adrenalin pump and then withdrawal, there's very little that we can do.

Mr. Weekes: — Thank you, Mr. Chair. How does the WCB apply to volunteer firefighters? Are they eligible? Are they eligible to volunteer firefighters? Is WCB eligible to volunteer firefighters?

Hon. Mr. Trew: — Thank you, Mr. Chair. Yes, volunteer firefighters — there's a policy on it and I'm advised they are eligible for benefits.

Mr. Weekes: — Thank you. The firefighters we spoke to also have a concern with section 489 of the occupational health and safety regulations. We're told that often, in some of our mid-sized cities, often go to fire calls with only four members — and sometimes only three. This makes it impossible for these fire crews to enter a burning structure lawfully since the safety regulations are not met.

Is this a problem you are aware of, and what are you going to do about it, Mr. Minister?

Hon. Mr. Trew: — Mr. Chairman, yes, I and we are very aware of this issue. I'm pleased to say that my officials have been working and have developed a protocol in conjunction with the fire chiefs around the province and that we'll be happy to share with the member. We can send that over to you. And like I say, I'm happy to report that.

Mr. Weekes: — Thank you. I'd appreciate that. One of the . . . probably the major problem is funding. Have you had a discussion with the Municipal Affairs minister about funding local governments to an adequate level so enough firefighters can go on these calls and meet the safety regulations and protect people from possibly being entrapped in a burning building?

Hon. Mr. Trew: — Mr. Chairman, staffing levels, I'm advised, are decided by municipal councils. I'm further advised my department is happy to work with them to try and make sure that the staffing levels and procedures that firefighters, in this case, would follow will be as safe as they possibly can.

And let me here acknowledge that there are times where you have unsafe acts. You have . . . I know if I were driving by a house and saw a house on fire and thought I could pull somebody out, I would try it, even though I have zero training in that. I know that I would do that. I know myself that well.

Firefighters have those same feelings of protection of life that I think virtually every human being has. And from time to time, you just get caught where you don't have the staff that you should have. I'm just acknowledging that can happen. Someone can have the flu. There's a number of things can happen.

I want to come back to the answer I gave you to the previous question, Member. I said that we would send across a piece of information to you. I'm advised we don't have that paper with us today, but we'll get it to you very shortly, if that's acceptable. Thank you.

Mr. Weekes: — Thank you. Just a few more questions. One question concerning government tendering policies. And as we know, the Crown Construction Tendering Agreement was allowed to expire last December 31. However, the issue of tendering practices, particularly for the Crown corporations, remain unresolved.

Could you possibly list the tendering practices and really flesh out the meaning and the direction of the tendering policies?

Hon. Mr. Trew: — Mr. Chair, tempting as it is and as much as I personally would love to enter into it, this is really a matter for Saskatchewan Property Management Corporation and I would invite the hon. member to ask the question when their estimates are up.

Mr. Weekes: — Thank you. Just have two or three questions concerning our Minimum Wage Board. I understand the board is in place now. And is the government planning on doing a thorough study of the economic impact of a possible minimum wage adjustment?

(13:15)

Hon. Mr. Trew: — Mr. Chairman, the Minimum Wage Board, yes, is up and running. They've in fact met three times. Now they've not provided us with a recommendation at this stage and so there's nothing further that we can do on this file.

I will say that I'm looking forward to getting that, ultimately, the report. And in my heart of hearts I'd want it to be sooner rather than later but I don't control that. It's an independent Minimum Wage Board. I'm pleased that they've met three times. And I'm looking forward to their report to me.

Mr. Weekes: — Thank you, Mr. Minister.

I'd like to ask you how many minimum wage earners are there in the province currently?

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

Mr. Hart: — To introduce guests, Mr. Chair.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Hart: — Thank you, Mr. Chair. Mr. Chair, today I'd like to introduce to you and through you to all members of the Assembly, some good friends of the family. They're Lynn and Henry Dechant from Fairview, Alberta. They flew in just a half hour ago in this wind with a private plane. They're going to be taking in the Farm Progress Show. And they'll be visiting with us over the weekend, accompanied by my wife, Marlene.

I'd ask all members of the Assembly to welcome them.

Hon. Members: Hear, hear!

COMMITTEE OF FINANCE

General Revenue Fund

Labour Vote 20

Subvote (LA01)

Hon. Mr. Trew: — Mr. Chairman, I'm advised that about 15 ... between 15 and 16,000 Saskatchewan residents earn the minimum wage. And I'm going to volunteer a little bit more answer. Within a dollar of minimum wage, we believe there is about 54,000 Saskatchewan people earning within a dollar of the minimum wage.

Mr. Weekes: — Thank you. Mr. Minister, I guess it goes back to my first question. Will the government, or has the government contemplated doing a study into any increase in the minimum wage before they implement it, and will they discuss their study with all the stakeholders, small business, chambers, and private businesses?

Hon. Mr. Trew: — Mr. Chairman, the process with respect to minimum wage has been that the Minimum Wage Board meets, considers the matter, will discuss minimum wage with who they choose to — if I can describe it that way. Typically what we have is business organizations and businesses, worker organization and some individual workers that will share as they can with the Minimum Wage Board what their views are respecting minimum wage.

Since 1919 Saskatchewan has had a Minimum Wage Board. And to my knowledge every change in minimum wage subsequent to 1919 has come as a result of a recommendation from that Minimum Wage Board.

Currently we have no recommendation from the Minimum Wage Board so there's really nothing for us to study.

Mr. Weekes: — Thank you, Mr. Deputy Speaker. That's all the questions I have at this time. We'd like to thank the minister and your officials for attending today.

Subvote (LA01) agreed to.

Subvotes (LA02), (LA03), (LA05), (LA04), (LA07), (LA06), (LA08) agreed to.

Vote 20 agreed to.

Hon. Mr. Trew: — Thank you very much, Mr. Chairman. Just before the officials leave, I want to thank the officials not only for the work that they have done in the three times that we've been here in estimates, but for really the terrific work that all of the people at the Department of Labour do throughout the year on behalf of working people in Saskatchewan and on behalf of the employers.

This is just a very fine department, full of some of the finest people you would find anywhere. I thank them, and particularly this day, I thank my officials.

And I want to also, while I'm at it, thank the hon. member for Redberry Lake for his very good questions.

The committee reported progress.

COMMITTEE OF THE WHOLE

Bill No. 1 — The Partnership Amendment Act, 2001

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Mr. Chair, on my right, Brent Prenevost, the Crown counsel of legislative services, public law division; and behind him Monte Curle, who is the deputy director of the corporations branch in the registry services division of the Justice department.

Clause 1

Mr. Heppner: — Thank you, Mr. Deputy Speaker, and welcome to the minister and to his officials. The Partnership Amendment Act is one of the . . . of some of the Acts that have been affecting professionals and these sorts of things that we strongly endorse, that we think are good pieces of legislation and have been very timely and probably needed for a while.

On Bill No. 1, The Partnership Amendment Act, would the general public see any difference when they interact with the professionals under the new legislation from what they experienced before?

Hon. Mr. Axworthy: — Mr. Chair, in response to the member's question, the relationship between a client of a professional will remain the same in terms of liability, responsibility and so on. The only thing that might be different is the name on the door might be a little different to indicate that it's a limited partnership.

But in terms of the relationship, the professional responsibility and so on of the lawyer, the accountant, or whatever, that would remain the same.

Mr. Heppner: — Thank you. On the other Bills that we've discussed of a similar nature dealing with professionals, one of the questions has always been how do we relate to other provinces. And I'm just wondering, is this piece of legislation based or sort of profiled on another province's legislation or is this one that's quite unique to what's happening across Canada?

Hon. Mr. Axworthy: — Mr. Chairman, I'm surprised that the member would ask this question. It's because he always asks it.

The legislation grew out of Uniform Law Conference proposal, which means that it essentially grew out of a recognition by all of the provinces that there was a need to be kind of on the same page.

Alberta and Ontario have introduced legislation following on from the Uniform Law Conference proposal. And ours . . . essentially they're all the same but there are little bits and pieces that are different. And we essentially have drawn what we consider to be the best response and what professional associations consider to be the best response from those three.

So we're pretty early in responding to this call. And I'm glad that you're supportive of it too.

Mr. Heppner: — Thank you. And, Mr. Deputy Speaker, I think that basically covers the questions. We've asked a number of questions earlier on, on this particular Bill and some of the

similar ones. So I think we're prepared to say that concludes our questioning.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

The committee agreed to report the Bill.

(13:30)

Bill No. 15 — The Credit Union Amendment Act, 2001

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

Hon. Mr. Axworthy: — I'd like the Assembly to welcome Jim Hall, who's sitting behind Brent Prenevost, who is the Superintendent of Insurance and the Registrar of Credit Unions.

Clause 1

Mr. Heppner: — Thank you. And again welcome to the officials on this particular Bill.

The credit unions throughout Saskatchewan are a fairly active group and I think they keep fairly on top of things and do a moderate amount of lobbying of government people. Is this piece of legislation totally on the initiative of the credit union movement or are some of these items that have come from government itself?

Hon. Mr. Axworthy: — Mr. Chair, essentially that's the case. There are a few — and as a teacher, the member will appreciate this — there are some spelling, reference, and grammatical errors which he's always pleased to note that we're clearing up in this amendment.

But the core, the substance of this relatively small Act is in response to concerns raised by the credit union system. And the member will remember that not very long ago there was a major rewrite of credit union legislation, not unusual to have a couple of substantive points and indeed some of the other spelling, reference, and other matters to be cleared up. So that's what this Bill is about.

Mr. Heppner: — This Bill changes essentially the role of the board of directors of the credit union. And if you could just briefly explain what specific changes are being made that involve the board of directors and what changes those will . . . or how that will affect how the credit unions will be operating.

Hon. Mr. Axworthy: — Mr. Chair, in response to the member's question, there are really two issues here, and one is essentially a clarification. The credit unions were not sure whether the legislation permitted the president and vice-president of the board to sit on the credit union's audit committee. This Bill will clarify that, so that presidents and vice-presidents are permitted to sit on the audit committee.

And it also will allow the credit union to . . . the credit union's Conduct Review Committee to review transactions between related parties, rather than that being done by the board of

directors, but the report from the Conduct Review Committee will go to the board of directors.

But it's seen as a facilitative measure. It'll be easier for the credit unions to do their business if a committee can review those kinds of transactions. So those are the two, the two points involved here.

Mr. Heppner: — Thank you. My second question was one that you just answered and that is that the work that the Conduct Review Committee does goes back to the board of directors, and I'm taking for granted that at that point the board of directors then becomes ultimately responsible for decisions made by the Conduct Review Committee.

And that concludes the questions that we have on Bill No. 15.

The Chair: — Thank you. This is a fairly lengthy . . . short Bill with many clauses. Is leave granted to deal with the Bill page by page. Is leave granted?

Leave granted.

Clause 1 agreed to.

Clauses 2 to 19 inclusive agreed to.

The committee agreed to report the Bill.

**Bill No. 32 — The Queen's Bench
Amendment Act, 2001/Loi de 2001 modifiant
la Loi de 1998 sur la Cour du Banc de la Reine**

The Chair: — Recognize the minister to introduce his officials.

Hon. Mr. Axworthy: — Thank you, Mr. Chairman. On my right, members will recognize Susan Amrud, whose title I don't have but everybody knows who she is. And on my left, Ken Acton, who is in charge of mediation services.

Clause 1

Mr. Heppner: — And again thank you for this opportunity to ask a few questions and welcome to the minister's new officials.

This Bill No. 32, I think is a fairly new direction in a specific area that's taking place. And so, the question is how long has this program been in development? Like, has the idea just come up in the last six months and here it is, or has this been a long-term process to get this far?

Hon. Mr. Axworthy: — Mr. Chair, since 1996, the department has been utilizing this kind of mediation process on a voluntary basis and over the last short while, the last year and a half or so, evaluating how best to proceed into the future. And that evaluation and looking at what has happened in some other jurisdictions as well leads us to develop a pilot project which is mandatory.

So that in Yorkton and Saskatoon, couples who are separating will be required to go to mediation as a part of the process of ensuring that the separation, if it is going to take place, is as

constructive as those kinds of situations can be. So it's been voluntary.

The member will know that many people have argued that there should be some more required course of action for people who are separating and particularly where children are involved. And so, this is a mandatory process which we're piloting, as I said, in Yorkton and Saskatoon and hopefully we will see expanded across the province.

Mr. Heppner: — Thank you. And I think, in philosophy, we basically support where this piece of legislation is going and also the part that it becomes mandatory. Because, obviously, just to give people the option to opt out and then make the thing more acrimonious than necessary is not desirable.

The question is, obviously you've done a fair bit of research on this. You've had a voluntary program in effect. But you can't very well go from the voluntary program and say this is how well this program will work because now you put into the mix people who are forced into it.

So I would imagine or I would hope that you have some fairly sophisticated evidence from other jurisdictions where it is mandatory to see how well it works. And I am just wondering how well it does work in those jurisdictions.

Hon. Mr. Axworthy: — Well indeed, Mr. Chair, this has been implemented after looking at practices in other provinces, really in Manitoba . . . sorry, in Alberta and British Columbia.

And both those provinces have seen this program lead to positive results with a reduced flow of cases in family court, a greater awareness on the part of those participating of the full range of appropriate dispute resolution options available to them, and — what I think many people are very interested in — an increased awareness in how the separation process and the dispute resolution process affects children who are involved in the relationship.

Mr. Heppner: — Thank you. The classes that are now going to become mandatory obviously . . . or at least I would hope that you're not just giving a group of people or these two people over to another individual and say, try and solve it. There must be a plan, a program, or a curriculum — whatever term you want to use.

I'm wondering if you can briefly outline what that curriculum is and whether I'd be able to receive a copy of that.

Hon. Mr. Axworthy: — I'd be happy to ensure that the member gets a copy of what process is taking place. I think it's important that as many people as possible are fully familiar with and supportive of the process that is taking place.

And I'd say that this process is very much supported by judges, by lawyers, and by other professionals who work with families and relationships.

The mediation sessions will be carried out, some by members of the mediation branch in the Department of Justice, some by social workers, and some by family lawyers, mediators — people who are trained to provide these services.

And really they have three main components. One, the presentation of options for resolving a dispute. So discussion of those options available to separating and divorcing couples, information on child support guidelines as well, information on the stages of separation and divorce, including information on those stages and the effects of separation on adults.

Secondly, focus on the children's reaction to separation and divorce. There's a video presentation for example which addresses the effects on children at varying ages.

And thirdly, a session dealing with parenting after separation and divorce, again with videos and discussions regarding the emotional issues, parental stress, parental issues, and the needs of children.

So a comprehensive program to assist parents and assist children, carried out by professionals in what will first of all be Saskatoon and Yorkton.

Mr. Heppner: — Thank you. I believe a unique component of this program is where the one spouse who initiates the proceedings has to sort of serve the other spouse with sort of the statement that you need to start attending these classes, and so I guess a bit of a barrage here.

Why is that avenue chosen? And secondly, what happens if someone fails to attend the classes?

Hon. Mr. Axworthy: — The way the process would work is the partner who wishes to end a relationship would make a petition . . . would petition the court to do so and include within that petition a request that the other partner participate in mediation. The court would essentially then order that. If the person decided not to attend, there are a number of options available for the petitioning partner.

(13:45)

What is most likely to happen is that the judge will order the person who doesn't want to attend to attend just in the hope that that will give him one last chance to reconsider. Because the other consequences are that the petitioner can apply to the court just to strike out any pleadings the other partner might present, any of the other partner's arguments, and refuse . . . and also ask the court to refuse to allow the other partner to make any submissions in support of his or her point of view, his or her case.

So the most likely is that there will be every encouragement for the partner who does not want to participate in mediation to go and participate because the consequences of not doing so are that they could end up by not being able to make their case at all.

Mr. Heppner: — Well thank you. And that concludes the questions that we have on Bill No. 22.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

The committee agreed to report the Bill.

Bill No. 55 — The Miscellaneous Statutes Repeal (Regulatory Reform) Act, 2001

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

Hon. Mr. Axworthy: — Thank you, Mr. Chair. Mr. Chair, on my right is Andrea Seale, Crown counsel for legislative services branch in the Department of Justice. And at the back: Bert Linklater, who is the executive director, district management services branch at the Department of Health; Ken Kolb, senior policy analyst in the program and policy development and review branch of Municipal Affairs and Housing.

Arun Srinivas, senior tax policy analyst with the taxation and intergovernmental affairs branch of Finance; Will Egan, who's corporate counsel for SaskTel; Kim Mock, who's acting manager, legislative and contract services branch, Post-Secondary Education and Skills Training; and Doug Kosloski, general counsel and corporate secretary for the Crown Investments Corporation of Saskatchewan — which is probably why this is called a miscellaneous Bill.

Clause 1

Mr. Heppner: — Again, welcome to the minister's many officials. But then I guess on the other hand, he may not be sure how many questions I am going to ask so I guess he came well prepared.

One of the things that's being repealed is The Wascana Energy Inc. Act and part of that particular Act dealt with the head office maintaining . . . or being maintained in Regina. Are we then to conclude that that stipulation has now come to an end?

Hon. Mr. Axworthy: — Thanks very much, Mr. Chair. Indeed this does indicate that the relationship with Wascana Energy has come to an end. But I should say that in commercial terms and in terms of commitment to the province, there are now more employees here. The head office or the office will stay here. And the commitment of the company, the new company to Saskatchewan remains extremely important to the province and extremely significant.

Mr. Heppner: — Thank you. And I guess that seems to indicate that sometimes having less red tape really doesn't hurt the situation at all.

Back in 1996 the Crown foundations and health district Act was passed. This was considered a very important piece of legislation at that time. It was, however, never proclaimed. So now some four or five years later, it's just being taken off the record altogether.

I would imagine this is then a fairly definite admission that that piece of legislation wasn't necessary and was maybe useless and poorly thought out. Am I correct?

Hon. Mr. Axworthy: — Well of course the member's free to hold his own opinions on such things. But the legislation became unnecessary after the federal government changed the Income Tax Act placing donations for those kinds of organizations and other charitable organizations on the same, on the same footing.

So basically changes to the federal Income Tax Act made the legislation unnecessary.

Mr. Heppner: — Thank you. And, Mr. Deputy Speaker, with apologies to all the fine people who came to answer questions and help out the minister, that concludes the questions we have on Bill No. 55.

The Chair: — Why is the member from Lloydminster on his feet?

Mr. Wakefield: — Mr. Deputy Chair, leave to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Wakefield: — Mr. Deputy Chair, through you and to the Assembly, I would like to introduce — I believe this is correct — a group of students from Kamsack. Is that correct?

I apologize. The information that was given to me, Mr. Deputy Chair, was for another group. We have several groups coming at this time of the year, so I do apologize. But on behalf of the legislature, I would like to welcome you here.

And as you can see, we're in the midst of doing some what we call committee work, and questions are being exchanged between one side and the other. I hope you have an opportunity to look around the legislature, this beautiful building, and I hope you will have fond remembrances of your trip here.

So welcome to the legislature.

Hon. Members: Hear, hear!

COMMITTEE OF THE WHOLE

Bill No. 55 — The Miscellaneous Statutes Repeal (Regulatory Reform) Act, 2001 (continued)

Clause 1 agreed to.

Clauses 2 to 9 inclusive agreed to.

The committee agreed to report the Bill.

The Deputy Speaker: — Why is the member on his feet?

Hon. Mr. Trew: — Mr. Speaker, I'm requesting leave to introduce guests.

Leave granted.

INTRODUCTION OF GUESTS

Hon. Mr. Trew: — Thank you, Mr. Speaker. And I thank my colleagues in the Legislative Assembly. There is a group in the east gallery from Lampman, Saskatchewan, in the southeast part of the province. And I feel compelled to acknowledge them. You see, Lampman was the hometown of my

father-in-law, and indeed I know a fair number of the people down in Lampman and it's a beautiful part of the province.

I ask all members to join me in welcoming the group that's here from Lampman.

Hon. Members: Hear, hear!

THIRD READINGS

Bill No. 1 — The Partnership Amendment Act, 2001

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

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

Bill No. 15 — The Credit Union Amendment Act, 2001

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

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

Bill No. 32 — The Queen's Bench Amendment Act, 2001/Loi de 2001 modifiant la Loi de 1998 sur la Cour du Banc de la Reine

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

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

Bill No. 55 — The Miscellaneous Statutes Repeal (Regulatory Reform) Act, 2001

Hon. Mr. Axworthy: — Mr. Deputy Speaker, I move 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.

Hon. Mr. Van Mulligen: — Mr. Speaker, before we adjourn, I'd seek leave of the Assembly to move a motion with respect to granting a leave of absence to two of the members of the Legislative Assembly so that they can attend the Partnership of Parliaments in Germany on behalf of the Assembly.

Leave granted.

MOTIONS

Leave of Absence

Hon. Mr. Van Mulligen: — Mr. Speaker, I would then move:

That leave of absence be granted to the members for Moose Jaw Wakamow and Cypress Hills from Monday, June 25, 2001 to Friday, July 6, 2001, inclusive, to attend the Partnership of Parliaments in Germany on behalf of this

Assembly.

And I would so move, seconded by the member for Indian Head-Milestone, Mr. Speaker.

Motion agreed to.

The Assembly adjourned at 14:00.