



FIRST SESSION - TWENTY-FIFTH LEGISLATURE

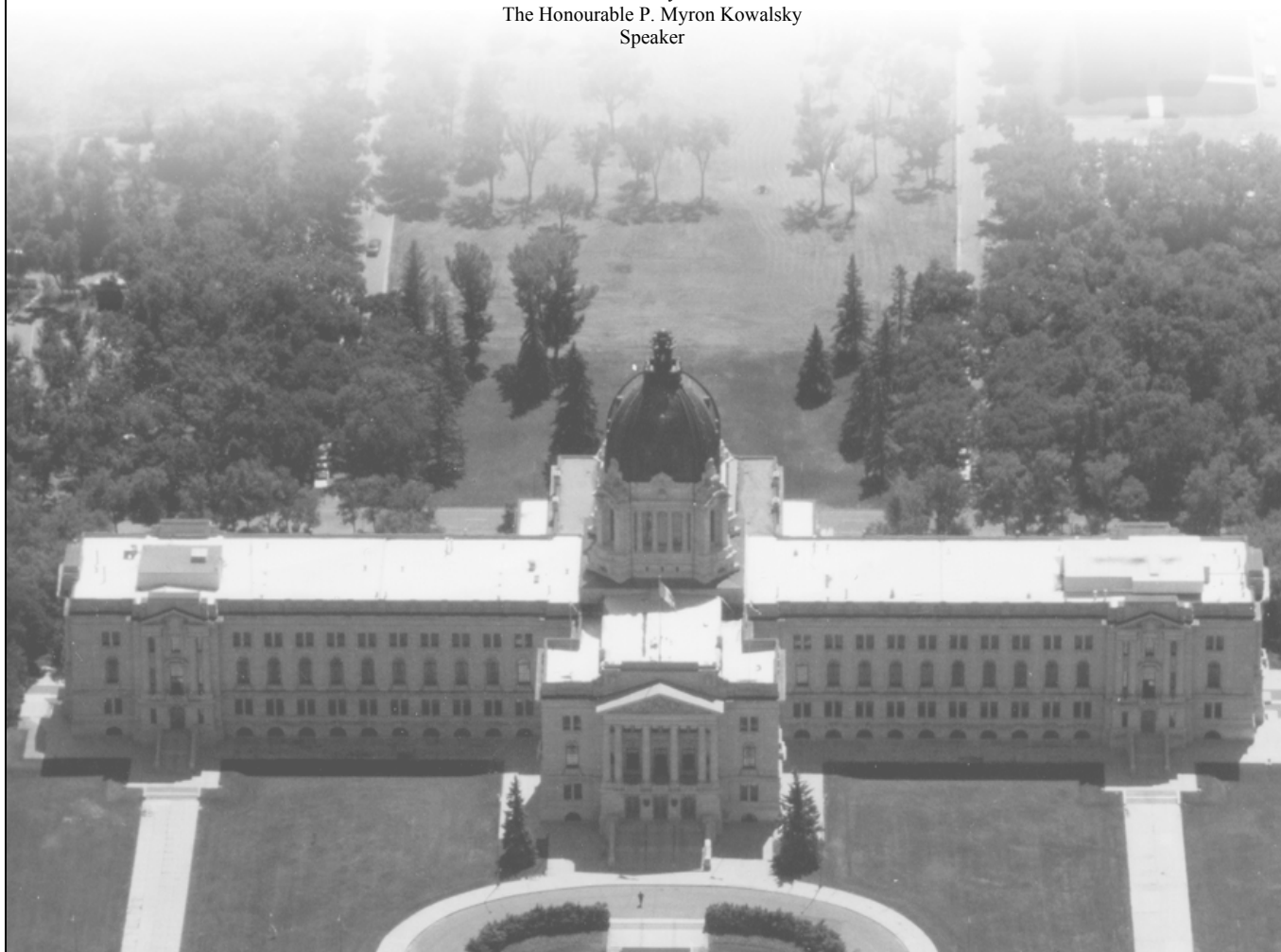
of the

Legislative Assembly of Saskatchewan

**DEBATES
and
PROCEEDINGS**

(HANSARD)

Published under the
authority of
The Honourable P. Myron Kowalsky
Speaker



MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Speaker — Hon. P. Myron Kowalsky
Premier — Hon. Lorne Calvert
Leader of the Opposition — Brad Wall

Name of Member	Political Affiliation	Constituency
Addley, Graham	NDP	Saskatoon Sutherland
Allchurch, Denis	SP	Rosthern-Shellbrook
Atkinson, Hon. Pat	NDP	Saskatoon Nutana
Bakken, Brenda	SP	Weyburn-Big Muddy
Beatty, Hon. Joan	NDP	Cumberland
Belanger, Hon. Buckley	NDP	Athabasca
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D'Autremont, Dan	SP	Cannington
Dearborn, Jason	SP	Kindersley
Draude, June	SP	Kelvington-Wadena
Eagles, Doreen	SP	Estevan
Elhard, Wayne	SP	Cypress Hills
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Gantefoer, Rod	SP	Melfort
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Harpauer, Donna	SP	Humboldt
Harper, Ron	NDP	Regina Northeast
Hart, Glen	SP	Last Mountain-Touchwood
Heppner, Ben	SP	Martensville
Hermanson, Elwin	SP	Rosetown-Elrose
Higgins, Hon. Deb	NDP	Moose Jaw Wakamow
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Junor, Judy	NDP	Saskatoon Eastview
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Kowalsky, Hon. P. Myron	NDP	Prince Albert Carlton
Krawetz, Ken	SP	Canora-Pelly
Lautermilch, Eldon	NDP	Prince Albert Northcote
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Merriman, Ted	SP	Saskatoon Northwest
Morgan, Don	SP	Saskatoon Southeast
Morin, Sandra	NDP	Regina Walsh Acres
Nilson, Hon. John	NDP	Regina Lakeview
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Taylor, Hon. Len	NDP	The Battlefords
Thomson, Hon. Andrew	NDP	Regina South
Toth, Don	SP	Moosomin
Trew, Kim	NDP	Regina Coronation Park
Van Mulligen, Hon. Harry	NDP	Regina Douglas Park
Wakefield, Milton	SP	Lloydminster
Wall, Brad	SP	Swift Current
Wartman, Hon. Mark	NDP	Regina Qu'Appelle Valley
Weekes, Randy	SP	Biggar
Yates, Kevin	NDP	Regina Dewdney

The Assembly met at 13:30.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

The Speaker: — I recognize the member for Cypress Hills.

Mr. Elhard: — Thank you, Mr. Speaker. Again today I'm rising to present a new batch of petitions on behalf of constituents from the area of the Cypress Hills. And it has to do with Crown grazing lease renewals. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to take the necessary steps to ensure current Crown land lessees maintain their first option to renew those leases.

As in duty bound, your petitioners will ever pray.

Mr. Speaker, this petition has been signed by individuals from the communities of Consul, Cabri, and Lancer.

I so present.

The Speaker: — I recognize the member for Swift Current.

Mr. Wall: — Thank you. And, Mr. Speaker, it is a pleasure today to rise on behalf of residents of the province concerned with the fate of long-term care in the province of Saskatchewan and with health care. And the prayer of the petition reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take necessary action to ensure that the Porcupine Carragana Hospital is not closed or further downsized.

Mr. Speaker,

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

The petitioners that I present on behalf of today are all from the community of Porcupine Plain.

I so present.

The Speaker: — I recognize the member for Kelvington-Wadena.

Ms. Draude: — Thank you, Mr. Speaker. I too rise today on behalf of people from the Porcupine Plain area who are concerned about their nursing home. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to ensure that the Red Deer Nursing Home is not closed or further downsized.

And everyone that have signed this petition are from the area of Porcupine Plain.

The Speaker: — I recognize the member for Thunder Creek.

Mr. Stewart: — Thank you, Mr. Speaker. I rise to present a petition signed by citizens concerned with the possible downsizing or closure of the Herbert Nursing Home. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to ensure that the Herbert Nursing Home is not closed or further downsized.

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

Mr. Speaker, this petition is signed by individuals from the communities of Beechy, Gouldtown, and Herbert.

I so present.

The Speaker: — I recognize the member for Estevan.

Ms. Eagles: — Thank you, Mr. Speaker. Mr. Speaker, I too rise today to present a petition on behalf of citizens concerned about the downsizing or closure of Radville Marian Health Centre. And the prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to ensure that the Radville Marian Health Centre is not closed or further downsized.

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

And, Mr. Speaker, this is signed by citizens of Radville and Pangman.

I so present. Thank you.

The Speaker: — I recognize the member for Weyburn-Big Muddy.

Ms. Bakken: — Mr. Speaker, I rise today to present a petition on behalf of constituents of Weyburn-Big Muddy who are concerned about the changes to crop insurance. And the prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to take all necessary actions to reverse the increase in crop insurance premiums and the reduction in coverage.

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

And the petition is signed by residents of Radville, Tyvan, Weyburn, and Tribune.

I so present.

The Speaker: — I recognize the member for Wood River.

Mr. Huyghebaert: — Thank you, Mr. Speaker. Once again I rise with a petition from citizens from my constituency — and actually outside the constituency today — who are extremely worried and concerned about the possibilities of long-term bed closures and health centre closures. And the petition reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary action to ensure that the Lafleche & District Health Centre is not closed or further downsized.

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

Mr. Speaker, this is signed by good citizens of Woodrow, McCord, Lafleche, Fir Mountain, and Swift Current.

I so present.

The Speaker: — I recognize the member for Arm River-Watrous.

Mr. Brkich: — Thank you, Mr. Speaker. I have a petition here to halt crop insurance premium hikes and coverage reductions.

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the provincial government to take all necessary actions to reverse the increase in crop insurance premiums and reduction in coverage.

As in duty bound, your petitioners will ever pray.

Signed by the good citizens of Kenaston, Hanley.

I so present.

The Speaker: — I recognize the member for Biggar.

Mr. Weekes: — Thank you, Mr. Speaker. I have a petition from constituents against the closure of Biggar's rural service centre and Environment office. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary steps to reverse the decision to close the rural service centre and Environment office in Biggar.

As in duty bound, your petitioners will ever pray.

Signed by the good citizens of Landis and Biggar and district.

I so present.

The Speaker: — I recognize the member for Kindersley.

Mr. Dearborn: — Thank you, Mr. Speaker. I rise today in the Assembly to present a petition on behalf of people of west central Saskatchewan concerned with rural school closures. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be influenced to stop the trend towards greater centralization and put more control back in the hands of local communities in the hopes of growing our population and business base within the province, thus saving small rural communities like Major from certain extinction.

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

Mr. Speaker, this petition is signed by the good folks from Major, Denzil, and Hoosier.

I so present.

READING AND RECEIVING PETITIONS

Deputy Clerk: — According to order the following petitions have been reviewed and are hereby read and received:

A petition concerning the Mainprize Manor & Health Care Centre;

Another petition concerning the Herbert Nursing Home;

And addendums to previously tabled petitions being sessional papers nos. 48, 73, 97, 115, 128, 145, and 146.

NOTICES OF MOTIONS AND QUESTIONS

The Speaker: — I recognize the member for Cypress Hills.

Mr. Elhard: — Thank you, Mr. Speaker. I give notice that I shall on day 35 ask the government the following question:

To the Environment minister: in fiscal year 2003 — I'm sorry — 2002-2003, how much money in grants, financial assistance, and/or donations in kind did the Environment department give to Ducks Unlimited and the Nature Conservancy of Canada?

I have a similar question for the fiscal year 2003-2004.

The Speaker: — I recognize the member for Kindersley.

Mr. Dearborn: — Thank you, Mr. Speaker. I give notice that I shall on day no. 30 ask the government the following question:

To the Minister of Community Resources and Employment: does the \$4.60 budget per person for food daily in community care homes for clients with disabilities suffice to provide each individual proper calorie intake and nutritional requirements as outlined by Health Canada? And further, are there ratios for economy of scale? And further to that, what is the minimum number of clients who are covered for this per capita allocation without adjustment?

I so present.

INTRODUCTION OF GUESTS

The Speaker: — I recognize the member for Saskatoon Centre.

Hon. Mr. Forbes: — Thank you, Mr. Speaker. To you and through you I would like to introduce some special guests in the west gallery. Today we have 25 students travelling here from E.D. Feehan High School. They are accompanied by their teachers, Esther Molina and Roberto Godoy, and their sign language interpreter, Sonia Miller.

And they are here visiting our House and I want to ask all of us to join in wishing them a good day here today.

Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Saskatoon Silver Springs.

Mr. Cheveldayoff: — Thank you, Mr. Speaker. I'd like to introduce to you, and through you to all members of the Assembly, 25 students from St. Joseph collegiate in the heart of the Saskatoon Silver Springs constituency. They're grade 9 to 12 English as a second language students. They're located in the east gallery.

The students are accompanied by their teachers, Leanne Fifield and Elizabeth DeCarle. Welcome to the Assembly, I look forward to meeting you later for pictures and for drinks. All members, welcome them.

Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Saskatoon Fairview.

Mr. Iwanchuk: — Mr. Speaker, I'd like to introduce to you and through you to the Assembly, two constituents of mine seated in your gallery.

One, Brian Nixon, a member of the Amalgamated Transit Union and a former president of Saskatoon Fairview constituency, and Clint Davidson. I had an opportunity to spend this summer working with Clint on the summer snack program with the Saskatoon and District Labour Council. And, Mr. Speaker, Brian and Clint add much to Saskatoon Fairview, and I'm truly proud to call them my constituents and friends. Thank you.

Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Saskatoon Centre.

Hon. Mr. Forbes: — All right, Mr. Speaker, I'd like to introduce to you another special guest, to you and through you to the House another special guest, a summer student who will be working in my office, Christina Breker. She is also in the west gallery. She is in her third year at University of Saskatchewan. She is majoring in Native studies, and we hope she enjoys her time here this summer. Thank you.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

The Speaker: — I recognize the member for The Battlefords.

Youth Business Excellence Awards in North Battleford

Hon. Mr. Taylor: — Thank you very much, Mr. Speaker. I rise today to congratulate the organizers, participants, volunteers, and winners of the eighth annual YBEX, Youth Business Excellence Awards, held on Saturday in North Battleford.

In particular I want to congratulate the organizers and hosts, the Northwest Community Futures Development Corporation, and its staff, Pat Redl and Renee Belyk, for making this such an enjoyable and successful event, celebrating our school-age youth in business development and achievement.

Amongst the 101 participants, included the winners, Mr. Speaker, Special Achievement Awards, Jamie Srayko from North Battleford; Michael Kahmahkotayo, North Battleford; Emily Alaers, Medstead; Tara Moyah and Garrison Moyah from Moosomin.

Business Plan Award — Trista Neilly of Loon Lake; the Gopher Busters from Turtleford.

Innovations Award, Mr. Speaker — Damian Holmes from Battleford.

And the Business Venture Award — grades 6 to 8, Devin Ledinski from Spiritwood; grades 9 to 12, Danielle Lehnert from North Battleford.

And the Group Venture Award — the Junior Achievement group from North Battleford, Klanagans.

Mr. Speaker, congratulations to all at this event recognizing the next generation of our business and community leaders.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Batoche.

National Forest Week in Canada

Mr. Kirsch: — Thank you, Mr. Speaker. Yesterday marked the beginning of national forestry week in Canada. Forestry week emphasizes greater awareness of the nature and management of Canada's forests. The theme for forestry week is: Canada's Forests — A Fine Balance.

Canada is home to more than 70,000 wildlife species that depend on our forest ecosystem for survival. Loss of natural forest areas is a significant cause of decline in wildlife habitat and the acceleration of species being at risk.

More than half of Saskatchewan is covered in forest — over 355,000 square kilometres. Saskatchewan forests add 750,000 million into the province's economy every year and provide over 9,000 jobs.

In addition, the economic benefits . . . our forests also help our environment. One large, healthy tree can lift up to 4,000 litres of water from the ground and release it into the air, absorb 75 per cent of the CO₂ produced by the average car, provide a day's oxygen for up to four people.

Although special activities are promoted across Canada, national forestry week remains first and foremost as a challenge to individual Canada . . . Canadians to learn more about their forest heritage and support greater recognition of this valuable resource.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Saskatoon Centre.

SaskTel Aboriginal Youth Awards of Excellence

Hon. Mr. Forbes: — Thank you very much, Mr. Speaker. On Friday night, myself and several of my legislative colleagues had the pleasure of attending the sixth annual SaskTel Aboriginal Youth Awards of Excellence in Saskatoon.

These awards recognize and honour Aboriginal young people who have demonstrated commitment to their community, excellence in their academic achievements, and outstanding leadership qualities.

Mr. Speaker, this government takes great pride in celebrating the vast array of talent amongst our Aboriginal youth — the fastest growing segment of our province.

Our young people, Mr. Speaker, are the future of this province and this year's recipients can take pride in being tomorrow's leaders.

This year's winners are: Kesha Larocque for Outstanding Achievement, Sean Cheechum in the category of Leadership, Jennifer Buffalo for Education, Jennifer Bishop for Community Service, Tashenna Sky Bison for Culture, Janelle Pewapiconias in Sports, Kristin Charles for Recreation; Celeste Desjarlais for Fine Arts; the Muskoday Northern Lights Square Dancers for Performing Arts; Hollie Lemieux for Innovation; and for Spirit, Cornell Herman.

(13:45)

I also want to take a moment to recognize SaskTel for their work in providing this program and also to their families in supporting these young people and helping them realize their dreams.

Mr. Speaker, I'm sure my colleagues will join me in congratulating this year's recipients and wishing them good luck in their future endeavours. Thank you very much.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Saskatoon Southeast.

Mr. Morgan: — Mr. Speaker, I would like to join with the members opposite in congratulating the participants and entrants in the SaskTel Aboriginal Youth Awards of Excellence.

It was my privilege to attend the event, as well as a number of members from both sides of the House. It was an interesting and enlightening evening. All of the members that participated,

as well as a number of civic and other dignitaries, participated in a grand entry and a march through . . . (inaudible) . . . in typical Aboriginal fashion. There was a variety of entertainment through the evening — dancing, traditional music, and a number of different types of Native and Aboriginal costumes.

Mr. Speaker, it was an enlightening and valuable evening and made one sense that they were part of Saskatchewan's heritage. So I would like to join with the members opposite and congratulate all of those that participated.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Saskatoon Fairview.

Badge and Shield Week

Mr. Iwanchuk: — Mr. Speaker, it takes a certain kind of person and a special kind of commitment to choose to become a firefighter, a police officer, a paramedic, or a member of any one of the emergency services we depend on to keep us safe and secure.

Mr. Speaker, in Saskatoon it's Badge and Shield Week, an event that provides an opportunity to meet with some of those special individuals — personnel from the Saskatoon fire and police services and other emergency services — to familiarize ourselves with the kind of work they do and the kind of equipment they use to do their work.

A number of events have been planned throughout the week. For example, on Tuesday there will be an interactive career for grade 12 students considering a career in emergency services. Participants will have a chance to speak one-on-one with paramedics, police officers, and firefighters, as well as handle some of the equipment used by emergency personnel. There are also community barbecues planned and on Friday the annual awards banquet to honour particular members of each of the services.

Mr. Speaker, I invite everyone to take this opportunity to get to know and to show our appreciation to the women and men of the emergency services who do so much on our behalf. Thank you.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Kindersley.

Kindersley Klippers Win Anavet Cup

Mr. Dearborn: — Well thank you, Mr. Speaker. It gives me great pleasure today to applaud the achievements of the Kindersley Junior Klippers who won the Anavet Cup, and it took a full seven games. They were down after four games, three games to one, and came back for three straight wins.

Last night Derek Dorsett from Kindersley and Jason Fleck, an Alberta native who played for Camrose last year in the Royal Bank Cup, scored the two goals needed to win 2-1 over the Selkirk Steelers of Selkirk, Manitoba.

Mr. Speaker, I was fortunate enough to catch game six, which was won by the Kindersley Klippers, a 1-0 game on Saturday evening and it was exciting hockey, I can guarantee you. The Kindersley Klippers goaltender from Canora-Pelly constituency produced a shutout and through that they were able to go forth to the final game.

The Klippers go to Grande Prairie, Alberta on May 8 to open the Royal Bank Cup against the Grande Prairie Storm who are also the host team and the Alberta champs. They will play in a round robin tournament format against a total of five other teams from May 8 to May 16.

Please join me in congratulating the Junior Klippers of Kindersley and good luck, team.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Athabasca.

RepREZentin' Film Workshops

Hon. Mr. Belanger: — Thank you, Mr. Speaker. Several weeks ago in Ile-a-la-Crosse, 34 young people stepped into the world of filmmaking with the help of Big Soul Productions and its popular RepREZentin' workshop.

Mr. Speaker, RepREZentin' has been providing Aboriginal youth with media training for four years. In 2002 its workshops resulted in the making of *Moccasin Flats* a short film produced in Regina using local youth both in front of and behind the cameras. *Moccasin Flats* has been screened at film festivals across North America and has since evolved into a television version airing on APTN (Aboriginal Peoples Television Network) and Showcase. It's the first dramatic TV show in Canada to be created, written, produced, and performed by Aboriginal people.

Mr. Speaker, in Ile-a-la-Crosse young people were given the opportunity to write, direct, shoot, and produce three short films. Also included in the workshop was a simulated film festival where participants learn how to pitch their ideas to network executives.

Mr. Speaker, RepREZentin' provides Aboriginal youth with a glimpse into the film industry and a potential career. Not only does it serve as a creative outlet for expressing themselves but it also builds self-esteem, confidence, and community.

Mr. Speaker, this is a great opportunity for our young people, an excellent example of empowering Aboriginal youth with the confidence and skills to pursue their dreams right here at home.

Congratulations to all the participants, and I wish them good luck in their future endeavours. Thank you.

Some Hon. Members: Hear, hear!

Duval Resident Wins Volunteer Award

Mr. Brkich: — Thank you, Mr. Speaker. I rise in the House today to talk about a very dedicated community volunteer from Duval. Jo Ann Hodgins has spent the last 12 years spearheading

the Strasbourg guiding association. In addition this remarkable lady leads both Sparks and Brownies while being president of the Strasbourg Guides Parents Association and Chair of the Strasbourg Guides and Scouts annual community calendar.

Recently Mrs. Hodgins was honoured with the Community Service Award for culture from the Last Touch Regional Recreation Association at their annual volunteers award banquet held in Fort Qu'Appelle.

Jo Ann is also involved provincially, serving as camp advisor for the Carlton Trail area and member of the provincial camp council. She is also Carlton Trail public relations advisor. This outstanding lady believes in the strength of the guiding program, a program that greatly benefits children as they grow into young adults. Mrs. Hodgins's great contributions to the guiding community also include preparing other adult leaders, publishing a newsletter three times a year, and still finds time to assist in recruitment and membership drives. Clearly this kind of dedication is an example to us all.

I would ask that all members join me with congratulations to Mrs. Jo Ann Hodgins. Thank you.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

The Speaker: — I recognize the member for Melfort.

Action Plan for Health Care

Mr. Gantefer: — Mr. Speaker, on Friday the Minister of Health said the NDP (New Democratic Party) is following its action plan on health care that it released in response to the Fyke Commission. Mr. Speaker, the NDP action plan on health care called for no closures or conversions of hospitals. But on budget day the minister said that some hospitals are going to be converted or closed. It's another example of the NDP saying one thing before the election and doing another thing after the election.

Mr. Speaker, is the Premier going to keep the commitment he made in the action plan on health care — no closures or conversions of hospitals?

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, this government set out a plan for the health care system in the province, and we're working carefully with all of the people in Saskatchewan as we move forward with this plan.

It has many different aspects, and it includes evaluating and continuing to look at how we can provide the care for people in the best way possible. Mr. Speaker, that has included building some new hospitals. It's included looking at some integrated care facilities. It's included looking and talking with the communities around how we can provide better care with the facilities that are there.

We're going to continue to do that because that's how you make change in Saskatchewan. One thing for sure though is that there is going to be change in Saskatchewan.

The Speaker: — I recognize the member for Melfort.

Mr. Gantefer: — Mr. Speaker, the minister says if you read further in the action plan on health care, the NDP leaves the door open for hospital closures and conversions in the future. That's not true. In fact if you read further, the action plan is even more specific about what services people can expect. At each category of hospital in the province it says, and I quote:

Community hospitals in 44 smaller communities . . . will offer 24/7 emergency services, general medicine . . . basic lab and x-ray services.

Mr. Speaker, if these community hospitals that seem to be on the chopping block for closures or conversions, Mr. Speaker, we need to know, will all 44 community hospitals continue to provide 24-hour emergency services as promised in the NDP action plan?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, we will continue to work with the communities to provide the appropriate services in those communities. The categories of hospitals as set out in the action plan will continue. We'll use those as guidelines as we look at the most appropriate services that are to be provided in those communities.

Mr. Speaker, I note a very interesting comment made by the member of Moosomin on November 10. This was just after the election had been completed. And the member from Moosomin said, well at least the people in my riding won't have to be worried about what a Sask Party government would have done with the hospital in Moosomin.

Mr. Speaker, we're moving forward with the hospital in Moosomin, the hospital in Swift Current. We're going to continue to work with the communities to provide the services that they need.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member from Melfort.

Mr. Gantefer: — Mr. Speaker, here's something else it says in the NDP action plan on health care:

(The) plan does not call for any hospital closures or conversions. Communities will be involved in decision-making if a hospital cannot be maintained due to shortages of key health professionals or other circumstances.

Mr. Speaker, let me repeat what the action plan said:

Communities will be involved in decision-making if a hospital cannot be maintained.

Mr. Speaker, on Friday, the Saskatchewan Party introduced a

motion calling for the NDP to live up to this commitment. Will the NDP allow for public hearings in every affected community before any hospitals are closed or converted?

The Speaker: — I recognize the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, the government has been talking with communities for many years, and we're going to continue to do that because that's how you make change in Saskatchewan . . . is you work with the people who are affected. You help them understand what all of the issues are in the province, and you move forward. Mr. Speaker, we will continue to do that.

We will continue to work to make sure we provide the best health care for the people of Saskatchewan. And we're going to do that with the professionals and others who are providing the care. We're going to do it with the people who are the patients. We'll do it with their families and friends because that's how we do things in Saskatchewan . . . is carefully and working with people.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Kelvington-Wadena.

Public Consultation on Health Facilities

Ms. Draude: — Mr. Speaker, this NDP government's action plan on health care calls for 24/7 emergency services in all community hospitals. It also says that communities will be involved in decision making before any changes take place. Yet just a couple of weeks ago, the NDP downgraded services at Foam Lake hospital without any consultation in the community whatsoever. Their doctor is now there only from 9 to 5, Monday to Friday. There's no emergency services on weekends, no emergency services on holidays.

Mr. Speaker, why has this government downgraded services at Foam Lake hospital and broken the commitment they made in their own action plan on health care?

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, I think, as many members of that community know and probably the member of the legislature that represents that area, they've had some challenges in getting sufficient staff to keep that clinic operating and that hospital operating. And they have been working with that community for approximately a couple of years. And what we know is that there are services being provided in that area on a daily basis, but some of the overnight care is being provided in communities that are close by.

Mr. Speaker, we'll continue to look at practical solutions to the kinds of challenges that we have in Saskatchewan. We know that there are challenges, but we know that the solutions can be found when we work with the people who live in various parts of our province.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member from Kelvington-Wadena.

Ms. Draude: — Mr. Speaker, we've spoken to the mayor. We've spoken to the people in Foam Lake. It's impossible, when people aren't sure what's going to happen, for their professionals to hang around. Mr. Speaker, let's go through this whole issue again. The NDP's action plan on health care promised no closures and no conversions.

It promised that all 44 existing community hospitals would keep 24/7 emergency services. And they promised, they promised, Mr. Speaker, that if any changes were made, the community would be involved in the decision making. But that is not what happened in Foam Lake. Emergency services were cut back, and no one in the community was consulted about this.

Mr. Speaker, to the Premier: why did the Premier make one promise to the communities like Foam Lake before the election and then break that promise right after the election?

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the Minister of Health.

Hon. Mr. Nilson: — Mr. Speaker, I will answer the question by reading page 35 in the action plan which was from December 2001:

However, we all know that our province and the delivery of health care, will continue to change. As well, people will continue to make choices to seek care in larger centres. Over time, communities may find it necessary to look at other options due to factors such as:

difficulties in retaining a minimum number of physicians and nurses;

a shrinking population;

ability of other nearby hospitals to admit more patients;

disruptions in providing 24/7 services due to lapses in staffing, particularly during the summer or holiday weekends;

declining levels of service volumes, or

ability to better meet local needs through other kinds of service delivery.

That's stated on page 35, Mr. Speaker, and that sets out some of the concerns that we had when we went forward with our plan. We'll continue to work with communities to solve health problems in those communities.

Some Hon. Members: Hear, hear!

(14:00)

The Speaker: — I recognize the member for Thunder Creek.

Costs of Closing Rural Service Centres

Mr. Stewart: — Mr. Speaker, my question is for the Minister of Agriculture. On Friday the Saskatchewan Party asked the NDP how much it was going to cost taxpayers as a result of the NDP's decision to break lease arrangements and close rural service centres in 22 communities. But the minister either didn't know or didn't care.

Mr. Speaker, late Friday afternoon Broadcast News reporter Jay Branch was finally able to get some answers from the NDP. Of the 22 rural service centres closed by the NDP last week, 21 of them involved lease deals being broken. And that will cost the taxpayers \$600,000 for this alone.

So maybe the minister has taken five minutes to call his department to answer this simple question: how much will it cost to break lease contracts in 21 communities as a result of the NDP's decision to close rural service centres across the province?

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the Minister of Labour.

Hon. Ms. Higgins: — Thank you very much, Mr. Speaker. Mr. Speaker, it's SPMC (Saskatchewan Property Management Corporation) that negotiates the leases and provides the leases and spaces for departments and makes adjustments for the changes that are made in the demands on those departments.

Mr. Speaker, SPMC will look at working with the owners, and in places where there is still leases existing, we will try to work to fill those spaces with other clients.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Thunder Creek.

Mr. Stewart: — Mr. Speaker, on Friday we heard from the member for Canora-Pelly that the town of Canora has a contract to lease space to the rural service centre until 2012 at a lease rate of \$17,000 per year. And the mayor of Canora says he expects the NDP to pay out the lease contract in full.

Mr. Speaker, that means the NDP will have to pay as much as \$136,000 to break its lease deal with the town of Canora. And that is just one. That is just one of 21 communities in which the NDP will be breaking lease arrangements.

So I'll ask the minister this simple and straightforward question once again: how much will it cost taxpayers to pay out all of the 21 lease agreements that will have to be broken in order for the NDP to close rural service centres in communities across Saskatchewan?

The Speaker: — I recognize the Minister Responsible for SPMC.

Hon. Ms. Higgins: — Thank you very much, Mr. Speaker. Mr. Speaker, SPMC will make every effort to place other tenants in the space that's been vacated as a result of the decisions to close and reorganize those programs. But it's impossible to assign an

accurate dollar figure to these decisions because it's impossible to say when the space . . . when new clients may be found and when that space may be filled by other clients.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Thunder Creek.

Mr. Stewart: — I suspect the \$600,000 figure that I mentioned is conservative, Mr. Speaker. Broadcast News is reporting that leases in six communities losing their rural service centres won't expire until 2007. The lease arrangement with the town of Canora won't expire until 2012, and the lease in one of the communities won't expire until the year 2022.

Mr. Speaker, the NDP government's decision to target rural Saskatchewan in this devastating provincial budget means that 22 communities lose their rural service centres; 22 communities lose jobs, and 22 communities lose another service that brings people to town. It also means that taxpayers are on the hook for \$1 million or more because of the NDP's decision to break contracts and close rural service centres in communities across Saskatchewan.

Mr. Speaker, once again how much will it cost taxpayers for the NDP to break these lease contracts in 22 communities losing the rural service centre?

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the Minister Responsible for SPMC.

Hon. Ms. Higgins: — Mr. Speaker, I will repeat for the members opposite again that SPMC will do everything that it can within its power to find new clients for the vacated space. And, Mr. Speaker, I'm informed that there is still for the department a net saving of \$2 million.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Cannington.

Souvenir from Wascana Lake's Deepening Project

Mr. D'Autremont: — Well thank you, Mr. Speaker. My question is for the Premier. On March 27 the Premier invited everyone down to the edge of Wascana Lake to celebrate the completion of the big dig.

Now, Mr. Speaker, the deepening of Wascana Lake and all the park improvements along with the big dig are quite rightly a source of excitement and pride. So it wasn't surprising that thousands of people came down to the lakeshore to be a part of the festivities. The Premier billed it as an opportunity for families to come down and get a once-in-a-lifetime souvenir picture, and the Premier offered little souvenir bags of Wascana dirt just like this one.

Will the Premier confirm his little bags of souvenir Wascana Lake dirt actually contained dirt excavated from Wascana Lake?

The Speaker: — I recognize the Minister Responsible for SPMC.

Hon. Ms. Higgins: — Mr. Speaker, there's many projects that this Government of Saskatchewan is involved in, and one of the most popular over this past year has been the deepening of Wascana Lake . . . And who but the Saskatchewan Party could find something to complain about?

Mr. Speaker, this was a project that was, that was . . . dealt with partners, the city of Regina, the Government of Saskatchewan, and our federal government. It was . . . I mean all of the citizens of this province — and especially Regina — took a great deal of pride in the changes that are made to the lake. And, Mr. Speaker, on the grand opening day when we had a celebration at the lake, the member opposite is correct; there was packages of dirt. And I will inform the member that it does contain dirt from Wascana Lake, from the big dig. And I'm glad to see that he took the time to go down and pick up one of the souvenir packages on this once-in-a-lifetime project.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Cannington.

Mr. D'Autremont: — Thank you, Mr. Speaker. Mr. Speaker, sources close to the big dig have advised the Saskatchewan Party that the souvenir dirt . . .

The Speaker: — Order. Order. Order. Member is taking liberty with exhibits, and I would ask the member not to use exhibits. And I would ask the Pages, one of the Pages, to please confiscate, confiscate the dirt bag. And now the member from Cannington may continue with his question.

Mr. D'Autremont: — Thank you, Mr. Speaker. Not only are we taxed but our dirt goes as well.

Mr. Speaker, the souvenir dirt bags the Premier was passing out a few weeks ago didn't actually contain Wascana Lake dirt. Mr. Speaker, it appears the dirt in the bags our Premier was handing out to children and families was actually from a sandpit outside the town of Findlater, Saskatchewan.

Now I'm sure that the sand from the Findlater pit is excellent sand. And I know that the people from Findlater are rightfully proud of their sand, Mr. Speaker, and they're proud to have the Premier passing it out. But the Premier said the dirt was from the excavation at Wascana Lake. Mr. Speaker, if you can't trust the Premier's dirt bags, what can you trust about the Premier?

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the Minister Responsible for SPMC.

Hon. Ms. Higgins: — Mr. Speaker, I am very pleased that the dirt bag was removed from the opposition because it is inappropriate for using props in the House but . . .

The Speaker: — Order. Order. Order. I just want to remind the member she oughtn't to comment on Speaker's rulings. I invite the member, I invite the member to continue.

Hon. Ms. Higgins: — Thank you. Thank you very much, Mr. Speaker. Mr. Speaker, this was a good project. And again, I am pleased that the opposition has given me an opportunity to stand up and speak about the Wascana Lake and this project that has really added to the grounds of the legislature and to the value that it plays to the city of Regina and to the province of Saskatchewan as a whole.

Mr. Speaker, this is going to be a wonderful asset for the Summer Games when they are held next summer here in Regina. Many of the rowing events are going to be held on the lake.

And, Mr. Speaker, there's one . . . there's actually a couple of very good things that have come out of this project was that many people in the city took a great deal of interest having a construction project of this size in part of the city. And there has been a great deal of interest stirred up on the Wascana Lake.

The Speaker: — The member's time has elapsed.

I recognize the member for Cannington.

Mr. D'Autremont: — Thank you, Mr. Speaker. You know, most of the time the NDP are trying to convince people not to trust the dirt that is frequently reported about the Premier. Today we find out what you really can't trust is the dirt you get from the Premier, Mr. Speaker.

Mr. Speaker, this is not the most burning issue facing Saskatchewan, and I don't . . . and most people don't really care one way or the other whether they can trust the Premier's dirt bag. And I would be interested, Mr. Speaker, in finding out though why the Premier decided to fill his bags with Wascana . . . fill his bags of Wascana Park dirt with sand from Findlater.

The Speaker: — I recognize the member . . . minister for SPMC.

Hon. Ms. Higgins: — Mr. Speaker, if the members opposite had paid much attention to the Wascana project, there was quite a number of cubic metres of what we will refer to as alluvium that was removed, the top layer off the Wascana dig. And beneath the alluvium was clay, Mr. Speaker. So, Mr. Speaker, the dirt that was dug and put into the bags that were handed out on celebration day were mixed with sand, but it does contain dirt from the Wascana Lake.

And, Mr. Speaker . . . And, Mr. Speaker, if the sand was hauled in from Findlater, Saskatchewan, then this government is always pleased to provide business and improve the economy in rural Saskatchewan.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Indian Head-Milestone.

Amalgamating School Divisions

Mr. McMorris: — Thank you, Mr. Speaker. Mr. Speaker, later this week we certainly hope the NDP is finally going to announce what its plans are for the education portion of

property tax. The only thing is, Mr. Speaker, the bad news is it sounds like they're going to do absolutely nothing.

A couple of weeks ago for the first time in history, SARM (Saskatchewan Association of Rural Municipalities) delegates came to the legislature to protest the NDP's lack of action on this issue. Now they are planning another protest in June.

Mr. Speaker, will the minister announce later on this week that they'll be addressing the property tax issue for education?

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the Minister of Learning.

Hon. Mr. Thomson: — Well I'm sorry that this question ranked lower than a fascinating set of questions around whether the dirt in a bag came from Wascana Lake or from somewhere else. I suspect this is probably more topical to what Saskatchewan people want to hear about.

When we present the response to Boughen, whether it's late this week or sometime next week, we will provide the outline as to what we believe needs to happen in the system in order for us to make sure that as new money goes into it — which new money will go into it over time — that is it going into the school system in an appropriate way.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Indian Head-Milestone.

Mr. McMorris: — Well, Mr. Speaker, the analogy between the dirt question and this last answer is you can't believe a word they say. They've said for years and years they're going to address the property tax issue. They don't address it. They've fallen far short of it. And it sounds like, Mr. Speaker, later on this week, property owners shouldn't expect any break on education portion of property tax.

The only problem is, Mr. Speaker, we're hearing from school divisions all over this province that are hearing rumours and rumblings that this government is going to push forward amalgamation — its government's agenda of amalgamation.

Will the minister stand in the House today and guarantee school divisions around this province that you don't have a map with 20 school divisions drawn up in your office? That you're not going to come out . . .

The Speaker: — Order. Order.

Mr. McMorris: — . . . guarantee school divisions around this province that they won't be forcing amalgamation down their throat like they tried to do with municipalities four years ago?

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the Minister of Learning.

Hon. Mr. Thomson: — Well, Mr. Speaker, I have said in this House that school board restructuring and amalgamation is one

of the options to be looked at. Indeed that is one of the options in the Boughen report that the members opposite sometimes support and sometimes don't support. So it would be interesting to hear which side that member's on. Do they support the change or do they not?

I can tell the members quite clearly there's no map with 20 school divisions drawn in my office. The map I have hanging in my office shows the full complement of school divisions. Whatever changes are coming, we'll discuss with school divisions.

Some Hon. Members: Hear, hear!

The Speaker: — I recognize the member for Indian Head-Milestone.

(14:15)

Mr. McMorris: — Mr. Speaker, last fall on the day the Premier released its election platform, he said his platform contained room to receive the recommendations of the Boughen Commission. That called for an increase in the PST (provincial sales tax) which would help pay for the reduction of the education portion of property tax.

So what did the NDP do? Well they raised the PST, but they forgot the other part — that property tax cut part, Mr. Speaker. Now they're talking about forcing amalgamation of school divisions.

Mr. Speaker, they talked about property tax; they've completely backed away from that. Now they're talking about school board amalgamation. Can the school divisions in this province believe that they're not going to be forced into forced amalgamation? In other words, Mr. Speaker, we'd like the minister to tell us later on this week what this Premier has, what lies ahead . . .

The Speaker: — Order, order. Order, order. There is a bit of a play on words here which I think the member ought to be advised against using.

I recognize the Minister of Learning.

Hon. Mr. Thomson: — Mr. Speaker, we are in fact looking at school division restructuring. I have said this time and again. It's one of the responses that is recommended by Mr. Boughen. It is one of the things that we have been in discussion with, with the school board association. So absolutely, school board restructuring I believe is a prerequisite for us to make sure that we've got a system which is sustainable. That is part of it.

Now what we need to start seeing . . . and what the members opposite, I think, will be challenged to do over the coming weeks is to come forward with where their plan is. How does this fit together? Do they support Boughen? Do they not? Do they support the tax increase? Do they not?

The member for Saltcoats says that he would never support a tax increase regardless of whether we had implemented it as Boughen had suggested or not. The members opposite stood in this House and presented petition after petition asking us not to do the expansion of the PST. And yet the

members opposite have been very duplicitous in this. It is time for the members opposite to come forward with a consistent policy, either in support or in opposition to this government's plan, but state what their position is.

Some Hon. Members: Hear, hear!

ORDERS OF THE DAY

WRITTEN QUESTIONS

The Speaker: — I recognize the Government Whip.

Mr. Yates: — Thank you very much, Mr. Speaker. I'm extremely pleased today to stand on behalf of the government . . .

The Speaker: — Order please, members. Order. Order, please. Order, please. I recognize the Government Whip.

Mr. Yates: — Thank you very much, Mr. Speaker. I'm extremely pleased today to stand on behalf of the government and table responses to written questions no. 251 through 254 inclusive.

The Speaker: — Responses for questions 251, 252, 253, and 254 have been submitted.

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

Bill No. 40

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Quennell that **Bill No. 40 — The Fatal Accidents Amendment Act, 2004** be now read a second time.

The Speaker: — I recognize the member for Biggar.

Mr. Weekes: — Thank you, Mr. Speaker. I'd like to speak to Bill No. 40, An Act to amend The Fatal Accidents Act.

Mr. Speaker, as outlined in the Bill, the damages for bereavement for death on or after August 1, 2004, Mr. Speaker, in this section it reads:

‘child’ does not include a grandchild;

‘parent’ does not include a grandparent.

And in the second section of this:

If the court finds the defendant liable in an action pursuant to this Act with respect to a death (or) on or after August 1, 2004, the court, without reference to any other damages that may be awarded and without the evidence of damage, shall award damages for grief and loss of the guidance, care and companionship of the deceased person of:

(a) subject to . . . section (3), \$60,000 to the spouse of

the deceased person; and)

(b) \$30,000 to each parent of the deceased person; and

(c) \$30,000 to each minor child of the deceased person.

(And) The court shall not award damages pursuant to clause (2)(a) to a spouse who was living separate and apart from the deceased person at the time of the deceased's death".

And, Mr. Speaker, by all accounts it seems that — as we all would agree in this House — that any loss of life to a loved one in a family is certainly a very unfortunate and . . . we certainly have compassion for the people that who've lost a loved one.

And these changes, as been said, is out of step with most of the provinces in Canada. Currently Mr. Speaker, Saskatchewan is one of the three provinces, the others being British Columbia and Newfoundland, which do not allow people to sue for grief when somebody loses a loved one in an accident and it's a case of wrongful death. And as I've mentioned before Saskatchewan is out of step with the other provinces in the country.

Now, Mr. Speaker, under the existing law people can still sue for wrongful death, but they're limited in what they can ask the judge to award damages for. For instance, a judge can award damages for the loss of income and funeral costs, but not mental anguish. And the proposed amendment would apply in the vast majority of automobile accident cases where there's no-fault insurance.

Where tort insurance is in effect however, the new law will still apply, Mr. Speaker. Now one lawyer, a Regina lawyer, lawyer Daniel Tapp, who has handled a number of wrongful death cases said the change is a step in the right direction, and he goes on to say it's good that the government is recognizing people should be entitled to compensation for mental anguish and companionship in other areas. However, he says putting caps on the amounts wasn't necessary; it's appropriate that the court should determine damages.

Now, Mr. Speaker, it's interesting to note that the government consulted with interested parties, including the Law Society of Saskatchewan, before drafting this proposed legislation. But most of the respondents said they supported the . . . expanding the grounds people can sue over. However, Saskatchewan Government Insurance indicated it was opposed to those changes.

Now, Mr. Speaker, as I'd mentioned it, it appears that these changes are certainly welcome. But this . . . these changes in this, to the Bill, really speak to the whole issue around the debate over no-fault insurance and tort insurance, Mr. Speaker. I think since I've been in the House since 1999 there's been really a raging debate over no-fault insurance, and what's come out of that is an option to go to tort, which some people have taken up.

I think a congratulation has to go out to people that helped change the government's mind concerning no-fault insurance. Injured people that were not well treated by no-fault, were not compensated well and certainly, Mr. Speaker, they felt that their

injuries and disabilities weren't addressed in no-fault, and they wanted to have this option of a tort system where they have the right to sue people that are liable.

Now, Mr. Speaker, one of . . . the whole debate around no-fault and the . . . and tort and opening up to lawsuits of course speaks to what goes on in other jurisdictions. I think we all agree in this province that no one wanted a system where, like the United States, is open . . .

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

I recognize the member for Biggar.

Mr. Weekes: — Thank you, Mr. Speaker. Well, I'm glad the members on the other House are very interested in what I'm saying about this Bill No. 40.

But as I was saying, we don't want to open the system up to a system where in the United States, well there's just a constant litigation and extremely high claims that are settled in court. I think we have to have common sense between what we have here in Saskatchewan with a no-fault insurance and the tort and the ability to sue.

And certainly as this one lawyer has said that he is unfortunate about the cap being placed on it. And I think we need to look at caps that are in place for . . . under the tort system. Are they adequate? Are they too low? Are they too high? This lawyer believes that they are too low and so that's something that we need to debate in the future about allowing higher caps for allowing people to sue for higher amounts, Mr. Speaker.

And as we have seen, the question why people with disabilities that were injured in SGI (Saskatchewan Government Insurance) in the no-fault system, their concerns that came out over the years that they weren't being adequately compensated . . . and we hear all sort of horror stories about their rehabilitation. And these people really want, you know, to have the ability to . . . their financial security naturally after an accident. They want their medical needs to be looked after, the rehabilitation done so that they can get on with their lives and into careers and jobs and back to their businesses if at all possible.

But these people, many of them, fell through the cracks of no-fault insurance and they felt very strongly that there needed to be something else put in place. And so some of what they've asked for has developed in this change in legislation. And this Bill 40 really speaks to a continuing change of the tort system that is allowing for payments for family members, for mental anguish, and those types of areas.

Mr. Speaker, as we should note that this legislation applies to only the tort insurance, and the minister responsible has mentioned that the proposed amendment will not apply to the vast majority of auto case . . . accident cases where there's no-fault insurance in place. And I wonder, Mr. Speaker, if the government and SGI has done an adequate job of explaining the new tort system to people when they go to take out their insurance.

Personally we've all received some information, but I don't think people in the community really understands the changes

that have taken place. And I don't believe they're comfortable necessarily to changing away from no-fault because of lack of information about the tort system and what responsibilities there are, what's allowed in the court system, what's allowed in the tort plan.

And again this Bill 40 now has moved I believe towards addressing some of the concerns that have brought . . . been brought up through the past few months. And allowing 60,000 to the spouse for a deceased person and 30,000 to each parent of the deceased person and 30,000 to each minor child of the deceased person is a step I believe in that direction to address some of those concerns in there.

Now if we take the information from the lawyer in Regina saying that these caps in tort are not high enough, and I . . . once again I believe that we should study that and certainly consider those options in any future legislation that comes along, Mr. Speaker.

One of the areas that people in no-fault and of course for anyone in an accident, whether they're disabled or injured in Workers' Comp or SGI, whether it's a no-fault or a tort, is the amount of rehabilitation — is it adequate? Who's going to be paying for it? And of course under no-fault the insurance is paying for it. But what about in the tort system, where does that leave people that have been in . . . that have been injured?

Now they have the option of going to the courts to sue the person that's liable for the accident. Now if the government puts . . . has caps on the amount that is sued, is that adequate compensation to the person if the other party is found to be liable, to address the needs of lost income? In some cases people are seriously ill for the rest of their lives. Does it cover items as far as medical expenses, as far as rehabilitation, and as far as other needs in the medical system?

(14:30)

As we have seen, Mr. Speaker, under Workers' Compensation Board and SGI, they have allowed their clients — have sent their clients, not allowed — sent their clients out of province to receive rehabilitation and MRIs (magnetic resonance imaging) and different treatments that are needed, and even sent them to the United States. And this whole area brings us . . . really speaks to a sort of two-tier health system, if you're an injured person, the Workers' Compensation Board, or SGI.

Now where do other people in the province, and particularly people that are injured under the tort system, do they have that ability to go out of province? We know that many people have gone out of province for MRIs, and spent their own money out of their own pocket. And it just speaks to where the liability begins and ends as far as in the court system and with the tort system that is available.

Other things that people that are injured have to deal with of course are, you know, adequate care, rehabilitation. But constantly, as far as financial matters, people that are . . . have reduced income or no income while they're basically fighting their case in the courts. And you know, these people have dependents, school-aged children, who are caring for children while they're disabled, while they're fighting for their rights in

the court case . . . in the courts.

And so, Mr. Speaker, there's a number of things that arise out of this that needs to be addressed. And, Mr. Speaker, I think that there needs to be more study done on this. And certainly we want to make sure that the legal . . . insurance and legal communities, and the people affected by these types of losses have an opportunity to comment.

And I don't believe that right at this stage that they've had adequate opportunity to comment. And certainly we in the official opposition will give them a voice to address their concerns about this particular Bill and any other Bill concerning no-fault or tort or the future changes in liability and in the insurance in the province. And so, Mr. Speaker, we must take care that all those concerns are looked after and any Bill that is drafted is . . . takes those concerns into account.

And I talked to many when I was the critic for Labour and Workers' Compensation Board. I met with many, many people and many of those injured workers got together with injured workers from . . . injured people from SGI. And they have so many common concerns and so many common problems with what goes on in the system, and in many cases how they are treated by the system.

We hope that most all people get a fair shake in the system when we talk about Workers' Comp or through SGI when they're looking for health concerns . . . to look after their health concerns and rehabilitation.

But many people with a lot of concerns about how they're treated, how basically their counsellors and people that are giving them a rehab don't quite believe them when they say they talk about pain that they may have, in many cases, the soft tissue injuries. And it's a very difficult situation to prove or disprove the extent of soft tissue injuries. And through the rehab process these people in many cases are, I believe — at least I'm being told that — they're not being believed. That they're being given rehab that is not appropriate for their problems and actually in many cases make their situation worse.

And so we have to look at all those areas, Mr. Speaker, when we talk about SGI, Workers' Compensation, no-fault, and the tort system so that people in this province are given a fair hearing when they're injured. They have adequate compensation whether it's through the court system or whether it's through no-fault. And certainly need to address the caps on payouts.

And, Mr. Speaker, as I had mentioned before, we certainly feel compassion for anyone who has lost a loved one and these changes as they are in this Bill, does go somewhat to address those problems in a financial way. Unfortunately no one . . . We wish we could bring back the loved ones to their families but that's not possible. And so this Bill does address somewhat the loss in financial . . . or damages that this Bill addresses.

So, Mr. Speaker, we certainly welcome any comments from people out there concerning this Bill and we will be waiting for a reply from those people in society that's had injuries, whether they're in no-fault or whether they're in the tort system.

So, Mr. Speaker, at this time I'd like to leave the door open for more consultation and review of this Bill by third parties, Mr. Speaker, and I'd like to move that we adjourn debate.

The Speaker: — It has been moved by the member for Biggar that second reading debate on Bill No. 40 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried.

Debate adjourned.

Bill No. 39

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Quennell that **Bill No. 39 — The Enforcement of Maintenance Orders Amendment Act, 2004/Loi de 2004 modifiant la Loi de 1997 sur l'exécution des ordonnances alimentaires** be now read a second time.

The Speaker: — I recognize the member for Indian Head-Milestone.

Mr. McMorris: — Thank you, Mr. Speaker. Normally it's a privilege to stand and speak on different pieces of legislation that come before the House. I'm not quite so sure that I'm real excited to speak on this, An Act to amend The Enforcement of Maintenance Orders Act because, of course, when this Act is talked about and followed through on it means that there has been, you know, a split in parents and usually a dispute.

I think any member that has been elected — and I can just speak from my own perspective after five years and having a couple of situations that have arisen in my constituency — and parents will want to, one of the spouses will want to get you involved a little bit as far as rulings, and of course we can't go too far down that road. But just the emotions that surround these issues all the time are very, very strained, and when it deals with maintenance or the lack of proper maintenance being paid by either one of the spouses, it is a huge problem.

And as I said, one of the more emotional problems that I've ever dealt with in my office and, as I said, I've had a couple of circumstances that have come by and talked to one of the spouses and it's heart wrenching to see that go on and see, you know, the effect that it may have on that family and the extended family — grandparents, kids, all of that — when proper maintenance is not paid out. And it's really important that we recognize that, you know, when you're raising kids the financial burden of raising kids has to be borne on both parents. It just . . . And again speaking from experience with two boys that are 10 and 12, I know the expense of raising them. I couldn't imagine a single parent — and it certainly is done — but without assistance from the other parent to properly raise their kids. And it doesn't matter whether it's, you know, at school — academics, whether it's sporting events, anything that the kids want to get involved with, there's usually costs. Just the simple everyday needs of food and shelter and clothing all add up, and so it's crucial and critical that proper maintenance is paid. And certainly that's what this Bill speaks towards and correcting some of the problems that perhaps were in the past

legislation.

Members on this side of the House are all too familiar with these cases in which individuals have decided to no longer want to be part of their child's life and literally disappear, leaving the burden of care for their children on the remaining family members, which certainly as I mentioned, just is not fair.

The lack of regard for children's welfare has had an absolutely devastating result on many families, whether it's a spouse remaining or grandparents or aunts and uncles. It's not usually just one person that it affects. It affects many, many people in that family unit, some of them being forced to seek social assistance, others become regular visitors of food banks, just to survive, which in our day and age and in our province, should never ever have to come to that. Maintenance enforcement has become a major . . . has become a priority for many governments, and governments that have tried to deal with this whole issue of support orders and addressing those issues.

Prior to this it was difficult to obtain maintenance support from those people who had decided to move to another province. Numerous amendments proposed in this Bill dealing with various areas of maintenance enforcement, some of them seemingly inconsequential, like setting time frames for application to be made, and yet there are others that are certainly much more significant when facing garnishee orders and things like that.

There's an issue in the Bill as we're . . . I was looking through it dealing with RRSPs (Registered Retirement Savings Plan) and what can be done through the maintenance enforcement office regarding RRSPs. It was one thing to deal with and know what RRSPs were available, but it was another thing to actually get money from those RRSPs. And that's certainly one area that this Bill is speaking towards.

Another area that may cause some concern is a proposed amendment that deals with seizure and sale of property. How this will be interpreted and under what circumstances will need to be clarified. It doesn't seem to have a whole lot of clarity around that, and you can well imagine once again emotions are strained in most situations like that. And when you start seizing property to sale to make up for a maintenance enforcement order, you can imagine that again the emotions are going to be very high. And so we need to know a little bit more around that and how all that is going to work.

Well it would be inappropriate to question the judgment and rulings of our court system, especially in those instances involving other difficult family breakups. There are certain, there are certain . . . That allowing hearsay evidence that has been deemed credible, trustworthy, and evident at the judge's discretion may have significant impact on some proceedings but these concerns could certainly be addressed in committee.

That is another area that, you know, again you're dealing with issues that certainly often aren't black and white. It's sometimes he said, she said issues and it's tough no doubt for the courts to find a proper, not necessarily proper judgment but a fair judgment. And there gets to be again a lot of hard feelings around this very thing.

So, Mr. Speaker, this Bill is a important piece of legislation, as I mentioned. But when you deal with issues of maintenance and maintenance order, we really need to make sure that the homework is properly done. I would hate to see this Bill go through and then, and then certainly hear in a year or two how this Bill impacted couples that have broke up, split up, and are now going through the process of determining maintenance.

So, Mr. Speaker, at this time until we find out a little bit more on how the Bill is going to affect the different parties — I raised a couple of areas that we certainly feel a little more homework needs to be done — and until we hear back from some of the groups, I would move to adjourn debate.

The Speaker: — It has been moved by the member for Indian Head-Milestone that debate on Bill No. 39 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried.

Debate adjourned.

Bill No. 38

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Quennell that **Bill No. 38 — The Credit Reporting Act** be now read a second time.

The Speaker: — I recognize the member for Saskatoon Southeast.

Mr. Morgan: — Thank you, Mr. Speaker. I've had the opportunity to look at this Bill and to review the aspects of this Bill. And, Mr. Speaker, this Bill is particularly timely inasmuch as it brings this legislation into step with what's taking place in other jurisdictions in Canada.

I think people are increasingly mobile. They're more aware of what takes place in other jurisdictions. They're more likely to move, and there's a recognition that we're in a growing global economy. And as such, it's imperative that we not only look at what's taking place in other jurisdictions, but that we try and take steps to bring our legislation into compliance or that we at least look at whether it's appropriate to have our legislation done exactly the same.

(14:45)

I think it's also appropriate to consider the other side of the coin, whether there's certain things in a Bill where we want to retain independence or we don't want to . . . necessarily want to fall into line with what is being done in other provinces. And when I looked at this Bill, Mr. Speaker, I was pleased to see that there are a number of steps that are in there that are consistent with what's happening in other provinces and there's some significant benefit to the steps that are there.

There are, Mr. Speaker, significant controls on to whom information can be released. Under the previous legislation there was very little control, very little steps that were giving protection to the consumer. And this piece of legislation as a

whole is intended to and I think is successful in providing significantly more protection for the consumer while, at the same time, balancing the needs to know on the basis . . . for the purposes of companies and businesses that will grant credit to consumers.

It provides access to a consumer so the consumer can inspect their own report. It provides a provision that a consumer consent to a third party having access. And other than that, the Act places a severe limit on credit granting agencies or credit reporting agencies, that they can only grant or release information to those people that are actually in the business of granting credit or acting on behalf of somebody like that. So it's limited to only sort of the purposes for which one would reasonably anticipate that that legislation is there.

It includes certain standards, Mr. Speaker, as to what type of information can be reported and also includes a number of prohibition on things that cannot be reported. I was somewhat surprised and perhaps amused that it protects the usual things that one would expect from human rights — race, creed, colour, and that type of thing — but it also includes political affiliation.

And, Mr. Speaker, I'm not sure whether the purpose of that was that the NDP members opposite might be concerned about people recognizing that their political affiliation may be such that it should make them somewhat less creditworthy. However I see that the legislation is protecting those members opposite for that, so I'll . . . enough said about that.

It also, Mr. Speaker, places time limits on how long things are kept on a person's credit file. And most of the items that can be left on there are a six-year limit. Under the old legislation some things were there as much as double that length.

It also deals with things such as criminal charges, Mr. Speaker. In the case of a conviction or a parole, it's allowed to be kept on there for up to six years. But it also requires that where a pardon has been granted, that the note of that conviction be removed.

It also deals with bankruptcy, and bankruptcy is one of the most devastating things that a consumer can go through. And it has a provision that on a first-time bankruptcy it can only be kept on a person's credit file for up to six years. This puts the legislation . . . makes it consistent with what is taking place in other jurisdictions.

In my practice . . . I had a general practice before I came here, and I dealt with a number of consumers that had had mortgages that had come up for renewal during or shortly following their bankruptcy. These were mortgages that had been kept in good standing, had never missed a payment, never been in default. But because the mortgages came up for renewal, the credit granting agencies were entitled to look at bankruptcies that had taken place many years before and use that as a reason not to either renew the mortgage, or grant a mortgage and precluded somebody . . . people from buying a home.

This is particularly troubling for somebody that's been in a home; they've got a large amount of equity in the home and the mortgage lender says to them, we know you've gone through a bankruptcy, or you're an undischarged bankrupt, and we're not going to be renewing your mortgage.

I've had to do considerable work with some of those people to try and find alternate lending sources for them, and to try and work with them through the various steps on foreclosure, and to try and find alternate financing for them to protect them from losing their homes — a devastating process to go through. And while this piece of legislation doesn't limit that problem or exclude it completely, it does shorten the time period that that spectre exists. Once the six-year period has passed, it's no longer on the credit report and, as such, a credit granting agency would not be entitled to take that into consideration.

It carries over, Mr. Speaker, on another vein — licensing and bonding requirements. And Mr. Speaker, I'd spoke earlier in the House on the issues with travel clubs, and I don't want to deviate very far from this particular topic. But if we can regulate credit-granting agencies, require licensing and bonding, I question why we couldn't use or piggyback onto that something that would protect people that have been victimized by travel clubs. I think a similar provision that's in The Credit Reporting Act could be used for travel clubs.

I don't want to stray very far from the Bill in which I'm talking, but, Mr. Speaker I raise that for the benefit of the Minister of Justice who is in the House today and may well want to consider that as an option when he goes forward and deals with other pieces of legislation as he has to deal with that one. I'm sure we'll hear more about travel clubs later on, Mr. Speaker.

Mr. Speaker, this Bill contains a relatively good balance on what a credit granter needs to know and provides some reasonable protection for the consumer. It's that balance that ensures that a good creditworthy consumer is able to get the most competitive and the most reasonable interest rates, and ensures that a credit granter is not exposed to unusual or unnecessarily high risk in dealing with someone who does have a bad credit rating and as such, that are not appropriate to grant credit to. Or at least they should be going into it fully cognizant of all of the facts surrounding that particular consumer's risk.

Mr. Speaker, another valuable addition to this piece of legislation is the revision for dealing with error correction and dealing with when there is problems on a person's credit file. In recent years — and with a result of the consumer age — there's growing problems with identity theft and problems of misuse of someone else's identification. Credit cards and other things have been stolen or used improperly. What this will do is allow process for somebody to come forward and say, I have been a victim of identity theft, and be able to try and have the inaccurate or incorrect things removed from their credit file.

It also deals with the process where there's been a dispute between a consumer and a creditor. Where the creditor has placed a notation on their file because of an unpaid bill, it will allow the disgruntled consumer to put forward a reply saying the water heater leaked or whatever the problem was, so a creditor can make a reasonable assessment ... or a credit granter can make a reasonable assessment on there.

It also allows there to be an investigation to be done by the registrar if there's been a complaint or a potential problem with how the information has been dealt with or how incorrect information has been treated.

In the past, Mr. Speaker, there's been businesses that have made a business out of correcting incorrect information on a person's credit file. They would hire a private firm and would be paying a fee of several hundred dollars to sort of work through the various correspondence and things that are necessary to correct mistakes on a person's file.

Now under the new legislation once that is proclaimed and enforced, a person will be able to obtain a copy of their file. And it puts the onus back on the credit reporting agency to remove, correct, update the information that's there.

Another interesting and beneficial aspect of this legislation — although I have some concerns about how it will be enforced — is that if a credit granter, not a credit granting agency, but if a credit granter relies on information from a credit reporting agency, Mr. Speaker, and turns down a credit application, they're required in a timely manner to send a notice of denial of credit to the person that applied and give them the reasons for it.

This, Mr. Speaker, will give that consumer the opportunity to know that there is a problem with their file, decide whether they want to put a response or reply on the file; or if the information is incorrect, to go through the process to deal with having that incorrect or wrong information removed. So I am pleased to see that because I think in the past there was people were denied credit or had wrong information on their file and had no way of knowing about it, no way of correcting it, no way of dealing with it, and no way of getting it put behind them. This provides a specific method of them having knowledge of it.

The best advice I could give any consumer, Mr. Speaker, would be at least on an annual basis is to do an on-line search of their name at Equifax and check their own credit file. I've done it myself, and it was interesting just to know who else had made credit inquiries. And that's available to anyone for a nominal fee on the Internet. Not a lot of consumers are aware that that service is available, and it's something that I think this legislation gives rises to the fact that there's a need for people to do that type of thing.

Often the mistakes that are there are accidental, but some are there as a result of spite or vindictiveness on the part of a credit granter or part of somebody who had had unpleasant or unhappy dealings with the consumer in the past.

So I'm pleased to see that that method is in place. I'm also pleased that it appoints a registrar, but does not appear to create a bureaucracy or something that may be unnecessary or create an unnecessary expense for the taxpayer. I think it's appropriate that we create a registrar and that there's a method of dealing with it, but I would be loathe to see any type of Bill or legislation come forward that would create a board or commission or create something that was a large number of staff and would create ongoing notices.

Mr. Speaker, I'm pleased to see that this Bill deals with a number of those things. I've looked at the legislation that's similar, the companion legislation in a number of other jurisdictions, and felt that this Bill goes a long ways to bringing our province in line with what takes place in other jurisdictions.

And, Mr. Speaker, I think it would be appropriate for the

members opposite to look at that or use that approach with other pieces of legislation. In particular, things like securities legislation, personal property registry, and also as well, land titles legislation, land titles documents so that, one, we don't need to reinvent the wheel every time we turn around.

Other provinces have land, other provinces have securities, other provinces have credit reporting issues to deal with. So there's nothing wrong with saying that somebody else had a good idea. And just because they had the idea first, there's nothing negative about admitting that somebody else had the idea and wanting to borrow that. We certainly don't need to go out and recreate from scratch every time we go out.

With that, Mr. Speaker, I'm pleased to move adjournment of debate.

Some Hon. Members: Hear, hear!

The Speaker: — It has been moved by the member for Saskatoon Southeast that debate on Bill No. 38 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — The motion is carried.

Debate adjourned.

Bill No. 37

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Van Mulligen that **Bill No. 37 — The Tobacco Tax Amendment Act, 2004** be now read a second time.

The Speaker: — I recognize the member for Batoche.

Mr. Kirsch: — Thank you, Mr. Speaker. Mr. Speaker, I rise today to speak on Bill No. 37.

Mr. Speaker, might I start by saying that the official opposition is in favour of anything that will decrease smoking. The questions I have of this Bill are as follows: the tax will generate — the number crunchers say — about 17 million in revenue; cancer's going to receive 6.5 million. I would like to know what happens to the other 10.5 million? We'd like to know a detailed report of where it's going and how it's going to be spent. And we're hoping that it just isn't put into the general coffers.

The government hid the . . . The government's program, that has been in the past, of hiding the tobacco didn't do anything to advance the non-smoking campaign. There was no, there was no way that hiding it under a blanket is going to have the people know that there's anti-smoking.

Should we impose a smoking fine for youth that are caught with cigarettes or that are carrying cigarettes is a big concern, because we have to do something to show the youth that we don't stand in favour of. We do it with alcohol. If a young offender is caught in possession of alcohol, he has to pay a fine. It's not a criminal offence, it's just a fine to make them aware of

what's happening. So we're thinking that if . . . possibly we should look at something like that so the young offenders don't even have cigarettes in possession.

(15:00)

And how about the people that buy the cigarettes for the youth? As it is now, the youth, they can go to just about anybody that's over age and they'll give them an extra dollar or so and they'll buy them the cigarettes. So the age thing isn't working and it puts all the onus on the store owner. We're asking him to police the situation for us. So I think the onus has to be put more on youth themselves and the adults. And I think the fine also should apply to adults that are buying cigarettes and handing them over to youth — that should be much more severe.

And putting up the price of cigarette does not decrease smoking. We've seen that happen that the price isn't in comparison with . . . The other year the price almost doubled and it didn't decrease smoking by half. The answer is going to be programs and education.

In questioning youth — and I've worked with youth part time for the past 20 years — if you ask them the real reason why they smoke, they'll say it's peer pressure. So I really feel we have to address the issues of peer pressure and . . . because we know they're not smoking because they . . . It's the thing to do; it's in style; it's what the other kids are doing.

So these are the specific issues I feel we should be addressing, and with that I move to adjourn debate.

Some Hon. Members: Hear, hear!

The Speaker: — It has been moved by the member from Batoche that debate on Bill No. 37 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried.

Debate adjourned.

Bill No. 36

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Van Mulligen that **Bill No. 36 — The Provincial Sales Tax Amendment Act, 2004** be now read a second time.

The Speaker: — I recognize the member for Wood River.

Mr. Huyghebaert: — Thank you, Mr. Speaker. Mr. Speaker, it's a great pleasure to get up today and speak to Bill 36, the PST Bill.

Mr. Speaker, what this Bill does is, in essence, raise the PST from 6 to 7 per cent. Now one of the things, Mr. Speaker, that I would like to address to start off this, is what's been said in the past about raising taxes and raising PST specifically. And, Mr. Speaker, I'd like to quote for the record what the Premier had to say about PST, and I quote from a reporter, *NewsWatch*:

Do you have a mandate to change or raise the PST?

And the Premier:

No. No.

Now to me that means that there's no mandate to raise the PST, Mr. Speaker.

Also, also the same reporter asked shortly ... asked the Premier:

... shortly after winning the fall election. While the Premier was firm about (firm about) not raising the Provincial Sales Tax, he wasn't so categorical when it came to other forms of taxation.

But I want to make sure that that's in there, Mr. Speaker — the Premier was firm about not raising the provincial sales tax. But talking about other forms of taxation, the Premier said:

Look, when we go into a budget and this is the same every year, we have to look at every aspect. I mean, we have no appetite to increasing taxes.

Mr. Speaker, that's a quote from the Premier — he is firm about not raising the PST; not raising the PST. So what does this Bill do, Mr. Speaker? It raises the PST.

Mr. Speaker, I also want to quote from the Premier, from his election platform. And when he was announcing this in Yorkton on October 17, the Premier said, and I quote:

It is a platform that is financially achievable, financially viable.

It is a platform that provides the room, fiscally, for the ongoing and growing base funding to health and education and other valuable public services.

It has the room. It has the room in there already, Mr. Speaker.

And it is a platform that provides for the room to receive the recommendations of the Boughen Commission on the funding of education.

It is a platform that is realistic, practical and above all, affordable.

Well, Mr. Speaker, those statements by the Premier were obviously, obviously done with the wrong intent. Because if it was the intent of the Premier back at that time to raise the PST, then he was being less than forthright with the people of this province. Mr. Speaker, the people of this province have been, and are continuing to be, betrayed by this NDP government and this Premier.

Mr. Speaker, Mr. Speaker, there's a credibility issue, I feel, with the Premier and these statements. And it's not only on the PST. We look at, we look at what's going on in health care and what was said by the Premier and this NDP government about not closing facilities. And now they're closing ... it looks like they're going to be closing facilities ... to taxes. And there's an

awful lot of nuances in what the Premier and this NDP government has said prior to, during the election platform and since where they've actually flip-flopped. They have done basically the opposite, Mr. Speaker, of what they said. They've done the opposite.

So, Mr. Speaker, not only is the credibility of this Premier and this government at stake; I would suggest the integrity of this Premier and this government is at stake because from what I am saying, there seems to be a lack of honesty — a lack of honesty to the people of this province who deserve better and want better. There has been an awful lot of things that are said and not done. And when these, these MLAs (Member of the Legislative Assembly), these people can stand and look people in the eye and say one thing and then do the opposite, Mr. Speaker, there's a word for that that I can't use in this House.

But, Mr. Speaker, the word is getting out. The word is getting out to people of this province on what this NDP government's doing. I'm not quite sure how to present this, but I got a phone call the other day. I received a phone call, and I can only assume what the individual meant in the phone call. And it was a parent whose youngster was acting up and was telling some fibs. And so the individual, the young fellow, was confronted by his parents. And so the young fellow was trying to explain to his parents what was going on, and his sister piped up and said: mom, Billy's telling a Calvert.

So, Mr. Speaker, that's the kind of word that's getting out to the people of this province right now because the integrity, the credibility, and the honesty of this government is being recognized for a lack of that from the people of this province. There is a lack of credibility, and there is a lack of integrity.

Mr. Speaker, I'd like to talk about economic growth. How, how does a PST increase of 1 per cent help economic growth in this province? How can any tax increase of this nature enhance economic growth? Mr. Speaker, here's an e-mail that we received, and I'd like to read it into the record because this kind of explains it:

Here's how I balance my budget — when I'm taxed more I buy less. The economy won't grow off that. What we need is an immediate non-confidence vote.

But the message here, Mr. Speaker, is the economy won't grow once a tax increase. And also, also, Mr. Speaker, and I have another quote somewhere in my notes about when you raise the PST, how is this going to help people in the west part of the province? We've been suffering on the west side of the province for years because of the difference between Albert PST being zero — and I repeat, zero — and ours which has fluctuated from nine to six under the NDP government. So now, now we've stabilized for a few years at around 6 per cent, and there's probably been a slight decline of cross-border shopping. But now that it's back up to 7 per cent, Mr. Speaker, we're going to see far more people that are going to exercise their right and their option to go out of this province to shop.

Now we've heard people on the other side of the House that say, well it's only 1 per cent, only 1 per cent, and that generates about \$136 million according to the Finance department and members opposite.

But, Mr. Speaker, here's the issue. If we see people leaving this province from the west side of the province to go to other jurisdictions to shop, not only do we lose the 1 per cent, Mr. Speaker; we lose the 6 per cent also. So there could be a devastating effect to this because people will be going out of this jurisdiction to other jurisdictions when the PST is raised to 7 per cent.

Mr. Speaker, I also, I also want to address one more time . . . I talked about it in the Throne Speech debate, and I talked about it in the budget speech debate, and I'll talk about it until something is done. We have, we have . . . And even my colleagues probably get tired of me talking about this. But we have 750,000 head of cattle in this province that we ship to Alberta to be fed — 750,000. And, Mr. Speaker, where do they get the grain to feed those cattle? Predominately from Saskatchewan. And, Mr. Speaker, where do they get the young men and women to feed those cattle? From Saskatchewan. You see a truckload of cattle heading down the road, behind it two truckloads of grain, and behind that three carloads of young men and women leaving this province.

And I address that and say there's something that needs to be done in this province to change that. And what do the NDP come up with to change it? Put more tax on. Put another tax. Add one point to the PST.

Can any member from that side of the House tell me how putting 1 per cent PST increase is going to help the cattle industry in this province, and how those 750,000 head of cattle can be brought back into this province where they deserve to be fed with Saskatchewan grain, with Saskatchewan young men and women? And my goodness, wouldn't it add a little bit of industry to this province? That's something that the other side of the House does not understand and can't comprehend.

So how, how does 1 per cent increase in the PST make this happen? And I would suggest, Mr. Speaker, that it doesn't. This is a tax that is going to inhibit economic growth. And we can talk about growth . . . (inaudible) . . . various areas, but this tax is regressive. It will hurt economic growth in this province and I just gave you one example.

Mr. Speaker, Mr. Speaker, this government is so intent on grabbing tax, taxing people to the hilt. And I've talked about it before, and I don't mind talking about it again — it's a socialist mentality. Give us all your money; we'll look after you. Well, Mr. Speaker, we know they want all of our money, but they won't look after us. The health care gets worse, but taxes go up. And basically what it is, it's a downward spiral. It's a downward spiral that continues to go down.

And how this happens . . . and I like people opposite to yip about this because this is exactly how it works. When taxes go up, when taxes go up, people start leaving the province. They will leave because it's regressive for businesses. Businesses close. Where do people go? We know the jobs aren't here, so they go to where the jobs are. So Mr. Speaker, when taxes go up . . . the people that are leaving this province are taxpayers, taxpayers leaving this province. So now to support this socialist structure, if taxpayers are leaving the province, how do you support the structure? How do you get the same amount of dollars to support this structure? There's only one way

according to the NDP: up taxes. Well you up taxes, guess what? Now more people are leaving, and all of a sudden, and I remember saying this before and I got guffawed by a couple of people . . . is you come to a point of collapse.

Mr. Speaker, we have been at that point in this province for the last few years. We're at the point of collapse. And all we have to do is look at what's going on today, and you can see we're there because now we're into the point of upping taxes again. We're going into that straight downward spiral. And that is totally unforgivable.

(15:15)

Now it's a socialist mentality. That's the only way to do it. That's the only way you can do it. Well, Mr. Speaker, can anybody on that side of the House possibly tell me how this 1 per cent increase in PST is going to help grow this province? There's absolutely no way that a tax increase of this nature will actually grow this province.

Mr. Speaker, I want to make a couple of quotes. I want to make a couple of quotes, when I talk about people exiting the province. And it's going to happen, and it's happening already. In fact shortly after the increase of 1 per cent PST was announced, I got a phone call from a business that sits in Western Canada, and said that they were now up-handling. That's a pilot term. Up-handling means you're ejecting out of a tough situation. And they're leaving this province, and that's what companies and people are doing, Mr. Speaker, and I'll use the phrase again. They're up-handling; they're ejecting out of this province.

But I'd like to . . . here's another email that I got. And it says, and I quote:

Let the Exodus' begin! Flee from tax hikes, job cuts, and MOST IMPORTANT a . . . (word I can't use and) . . . sneaky government. If this happened in the U.S.A. there would be demonstrations, newspaper ads and petitions. Across Canada, Saskatchewan is known as The Gap, the dead space between Alberta and Manitoba . . .

And that's a quote from a citizen of this province, Mr. Speaker. And we have people over there that think it's funny. Well, Mr. Speaker, it's not funny. These are real people. These are real people that are leaving this province. There's real people that are leaving this province because of high taxes, no jobs. And they kind of go hand in hand. When taxes go up, jobs will go down because businesses will leave. And that is exactly what's happening.

Mr. Speaker, there's a quote from an out-of-province shopper here that I just thought would be appropriate to have in the record. And this quote says:

The budget is just one more reason to make all our purchases out of province. Looks like it's time to plan retirement out of the province, too.

So look at the far-reaching implications of a tax, a regressive tax such as this. It's a regressive tax because of people like this that are saying, we're going to go out of the province and shop.

But why would I not go out of the province and retire now also?

Mr. Speaker, this is an attack on everybody in the province. But here we have people that are suggesting that the government is the saviour of the elderly. And this is an attack. This PST is an attack on the seniors of this province. This is an attack on the people of this province who can least afford it. It's an attack on everybody, but here we have a government that tries to make the idea that they are the saviours of people, and they turn around attack them. And they totally attack these people.

And this comes from a senior, and I'd like to enter this quote, Mr. Speaker:

Seniors were not mentioned in the budget at all. All we got was an increase in PST, an increase in tobacco tax for those of us who smoke and a reduction in available long term (hospital) beds. Saskatchewan has the highest percentage of seniors of all provinces in Canada and they are also the majority of NDP voters in the province. I do not think the NDP government is going to last much longer.

Here's from an individual — and you can read from the comments — was, was probably an NDP supporter until this regressive tax hit the highlight. And, Mr. Speaker, and that's what this tax is. It is extremely regressive. And it is an attack on seniors, people that are on fixed incomes. It just takes away another 1 per cent of their disposable income.

Mr. Speaker, also . . . and we hear the members opposite talk about, well we needed \$160 million for health care. Well, Mr. Speaker, 110 million of that came from the federal government. So from the province supposedly is only \$50 million. So if it's only \$50 million, then — and by their own figures it's \$136 million for the PST — even from a socialist accountant that doesn't add up, Mr. Speaker. There is a big gap in that figure.

And so how can they possibly sit and well . . . and yip about it from the other side when the facts and figures are there? So \$136 million, and supposedly to help health care and education but in fact only \$50 million is a provincial government share of the \$160 million.

But, Mr. Speaker, I also want to add to that, as the Leader of the Opposition and member from Swift Current so often says, it's time to put the Dr. Phil question. How is it going? How is it working? How's our health care working?

We have the longest waiting list. We have people that have been waiting for operations, and we'll get into this debate far more when we talk health care. And the members over there think it's funny. They think it's funny that we have waiting lists and long waiting lists. They think it's funny that we have people that are waiting three months for cancer operations. And they think it's funny.

Well, Mr. Speaker, the people of this province do not think it's funny. They do not think it's funny that we have long waiting lists in health care. They do not think it's funny that people should wait three months for . . . to see a specialist for a cancerous operation. So the people of this province do know what's going on.

Mr. Speaker, I think it's intuitively clear that this government has a spending problem. It's not a revenue problem; money has been coming in more over the last number of years. Look at the budget. And look at the budget and look at what the expenditure side of the budget is. And we've had smoke and mirrors for the last few years about balanced budget.

Well even with a 1 per cent PST increase, Mr. Speaker, the budget is still not balanced. And there are numerous quotes, and I think every individual in this province that operates a bank book realizes that if spending is more than revenue, you're in a deficit — you're in a deficit.

And what do we have in this province? We have a government that is spending more than it's taking in and yet we hear: we've had 11 straight balanced budget. What a bunch of malarkey. Mr. Speaker, that is . . . that is just not on.

Mr. Speaker, when we talk about industry growth in this province — and I mentioned the cattle industry — how are we going to attract other businesses? How are we going to get stuff like the ethanol that they failed on so miserably? How are we going to attract more ethanol to this province when we start putting taxes on? One per cent — only 1 per cent is what we hear from across the way, but 1 per cent is \$136 million, Mr. Speaker.

Now we've had a couple of private ethanol enterprises that have been announced, and thank goodness they're private ones. And hopefully they go and they go strong because they are private, because there's no government fingers in the pot and dollars, taxpayers' dollars in the pot on this particular one.

But how will somebody else get started now that the PST has increased? How about small businesses? How about a small business that wishes to start up? And I talked about small businesses, some of them that are going to close. They're on the brink right now. And if they're on the brink of making or breaking it right now, with another point on the PST, that could be the turning point.

Well, Mr. Speaker if the small business closes, then a job or more or a few jobs are lost. And where do they go? They have to go to where the jobs are. And how's our record been on that, Mr. Speaker?

Mr. Speaker, what happened to the campaign promise of growing this province that was given by the government? They talked about it. And this is a quote; this is a quote, it says:

What happened to the campaign promise of growing the province and growing the population of Saskatchewan? I think today the government of Saskatchewan has SLAMMED shut that door.

And I couldn't agree more; I could not agree more. By putting a regressive tax hike such as this, I think it has slammed the door shut for an awful lot of small businesses.

Mr. Speaker, there's another quote here and I happen to know this individual, but he had sent an e-mail and I'd like to put it into the record also:

I'm somewhat surprised by the reaction of people who feel they have been misled by this government. They should not be because this government has (been) misleading tax payers ever since its beginning. What I find most surprising, though, is that this government still has not learned any lessons. In its first (attempt to) tackle . . . a budgetary shortfall, it closed hospitals and schools throughout rural Saskatchewan.

It closed them. Budgetary shortfall — closed hospitals and schools.

Now, faced with a similar problem created by its own overspending, it proposes to fix the problem by closing some more. The last round of closures nearly doubled the costs in the affected departments. Another doubling will really put Saskatchewan in trouble.

Mr. Speaker, there's a very, very subtle point in this. And that is, the last round of closures nearly doubled the costs in the affected departments — nearly doubled. Well, Mr. Speaker, what were the facilities closed for?

If we're talking upping the PST to generate more dollars, what's it for? What is it for if we're going out now and closing more care centres and possibly schools? Who knows where that's going to go. By the NDP's own admission, we're going to have 30,000 less students by the end of this decade — 30,000 less. And again, this is a government planning to manage the decline — manage the decline of this province.

But the point, the point in this really is, by closing the facilities of the last go-round, it nearly doubled the costs. So now, so now if we're going to close more, what's the savings? Where is the dividend? From the '93 hospital closures — the 52 plus the Plains — how much savings were there? Where is the dividend from that particular time?

And now we hear the PST is going up to help health care. The \$160 million . . . And we've heard the minister say that the \$160 million, we only get 136 from the PST; therefore it's not even enough to cover it. Well that's been exposed also because 110 million of that comes from the federal government.

But my question is very subtle is we can't afford any more savings like that. If the last time it nearly doubled the costs, how can we afford any more of those humongous savings that this government is putting forward? So if we're going to close more facilities, I would like to know what the cost savings are before it would happen.

And this is why we support the concept of going out and talking to people and explaining it to people, rather than just doing it and then doubling the costs and saying, haven't we been good? Aren't we good? Well I would suggest they're not good. In fact just the opposite.

Mr. Speaker, we also heard in this round of discussions about the education portion of property tax — the Boughen report. So in the Boughen report it was recommended that the PST go up and the offset be used to lower the education portion of property tax.

Well, Mr. Speaker, some of us had a feeling that this would not happen. Some of us had this horrendous feeling that to support the government's spending habits, only part of the Boughen Commission would be upheld. And I think those of us that believed that are right. We are correct because, Mr. Speaker, the part of the Boughen Commission that was upheld by this government was the 1 per cent PST increase.

How did we make out on property taxes? How have we done on property taxes? That is again an attack to the credibility of this government, attack on the integrity of this government, and it's an attack on the honesty of this government. Mr. Speaker, Mr. Speaker, this tax again being so regressive that it is going to hurt this province in a way that's going to take some time to recover from.

And, Mr. Speaker, I'd be remiss if I didn't talk a little bit about some of the businesses. We hear from the people opposite and they always are talking about, who would you close; where would you get the money. And we have some pretty snide remarks for a couple of the arrogant individuals on the other side that talk like that.

(15:30)

Well, Mr. Speaker, I'd just like, I'd just like to, like to suggest where some of this money may have come from. And need I say very much about it. How about, how about SPUDCO (Saskatchewan Potato Utility Development Company)? I mean I think that would be a pretty good way to save some money.

How about, how about Craig Wireless? Let's just talk about Craig Wireless for a minute. Well that's only 10 million. They haven't even got up to the minister of SPUDCO yet.

How about, how about mega bingo? Ooh, what a plan that was. What a plan that was.

Mr. Speaker, if we had, if we had not have done stuff like mega bingo, if we had not have done stuff like Coachman Insurance, if we had not have done stuff back a little while with Channel Lake . . . Mr. Speaker, we have, we have the minister stand up and talk that the PST increase will generate \$136 million. Mr. Speaker, I would like to point out that the failed businesses, the bad investments of this government, the bad investments of this government, come to \$312 million — \$312 million that I could list for you one at a time, except time will be running short, in how these bad investments . . . And what do we hear from across the way? SPUDCO was a good deal — the member from Meadow Lake actually got up and said, SPUDCO was a good deal. With good deals like that, Mr. Speaker, we sure don't need bad deals.

How about, how about *tappedinto.com*? That just happens to be another one that is, that is really, really great. And, Mr. Speaker, they go on — Soft Tracks, Navigata.

Now Navigata, we had, we had just recently, just recently, a low, a low . . . Up until now they had lost a paltry 14 million or 13 million, along that line. Now, now what they've done is put another something in the neighbourhood of \$17 million into it.

Well just add that up, Mr. Speaker. Consider the \$110 million

from the federal government and all of a sudden you have the \$160 million for their health care and they didn't even have to touch the PST. It's called, it's called smart government and those people don't know anything about smart government. And that, that is, that is extremely plain, that's extremely plain to taxpayers of this province when they see investments such as this that have gone south. And literally some of them have gone south to Nashville; Atlanta, Georgia; and various places like that. But the point, Mr. Speaker, is that they've lost money. And yet we have a minister who will stand up and say, what keeps our Crowns strong is out-of-province investment.

With that kind of strength, my goodness, no wonder our health care is ailing. Because all of these investments have lost money. And had of there been judicial planning of all of these investments — are not invested in these, in these and invest in the province of Saskatchewan where our core businesses are doing fairly well, our Crown businesses. But it's the out-of-province investments that have totally, totally been dismal. And, Mr. Speaker, if these out-of-province investments had not been squandered to the extent that they had, we would have money for health care — as I mentioned, \$312 million in blown investments.

Mr. Speaker, Mr. Speaker, there's a great deal on this PST increase that is negative to this province. It is negative. And we have a government that is just thirsting for more dollars to blow someplace. Management of the finances of this province by the NDP is totally, totally unacceptable. Mr. Speaker, Mr. Speaker, with just looking at the bad investments and the bad, bad management, the PST really did not need to be increased.

And now, Mr. Speaker, I know there's a number of people that wish to speak to the, to this particular Bill so at this time, Mr. Speaker, I'd like to adjourn debate.

Some Hon. Members: Hear, hear!

The Speaker: — It has been moved by the member for Wood River that debate on Bill 36 second reading be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Speaker: — Motion is carried.

Debate adjourned.

Bill No. 35

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Ms. Atkinson that **Bill No. 35 — The Crown Corporations Amendment Act, 2004** be now read a second time.

The Speaker: — I recognize the member for Arm River-Watrous.

Mr. Brkich: — Thank you, Mr. Speaker. It is a pleasure to get up and enter debate on this particular Crown Bill. There's been quite a few issues have been brought forward on it and there'll probably be many more as time goes on.

One of the things I want to talk about . . . the first thing I believe that the minister, the member from Nutana had said, that by 2017 more than half the current employees of our Crowns will retire. In one way that's kind of a statement that talks unfortunately about Saskatchewan, that we have an aging workforce. We already have an aging population per capita. We have the most people over 65 throughout Canada, which is . . . And between the ages of I think it's 25 to 45 per capita, we have the least young people. And that is very disconcerting; that's a problem that has to be addressed out there.

And before you can even talk about hiring more people here, one of the things we have to talk about is retaining more young people in Saskatchewan, keeping our young people here to work here — making not just, not just the Crowns making it viable — making small business a better opportunity for small . . . for people to work in.

And there was no mention . . . that I found disturbing that the minister never mentioned at all about programs for businesses or for to retain young people in other sectors, just talking about the Crowns. I know out . . . from in rural Saskatchewan where I'm from, I get a lot of calls.

There was a program out there that . . . students for hire, and I know there's been cutbacks to that. And it's very hard to get people into that program. And small businesses . . . and that has helped them a lot over the years. And that's a program that we need to help to grow this province, just not in the Crowns. We have to grow all the sectors in this province. We have to grow every business. We have to keep people here, just not through the Crowns, we have to keep them through every level of businesses throughout Saskatchewan, Mr. Speaker.

One of the things talking about the Crowns there's . . . you talk out in our area there, SaskEnergy, SaskPower has basically been growing smaller as times has gone on. They haven't been employing more people. Simple fact is there is no programs out there for gas lines. A lot of rural Saskatchewan in my area, there's no natural gas that goes to farms for the simple fact of the cost of bringing it to farms.

There was a farm just not very far from mine; there's a pipeline there, a 1-inch line I believe. And a farmer wanted to bring it into his farm and the quote — it was less than 100 yards to bring in the line to his line of property — the quote was between 5 and \$10,000. Well you know, he said if it was a reasonable cost, he says I would have brought it in, but between 5 and \$10,000 to bring a line in for less than a quarter mile, or less than 100 yards, Mr. Speaker. The only cost would be bringing in a digger and a trencher which you can lay . . . I've watched them lay pipes. They can lay, in 100 yards, they can probably lay it in less than an hour. You might have a small backhoe cost which is about \$60 an hour, about there, and you've got to bring maybe a reducer from a 1-inch line to I think farmyards go to about a quarter-inch line.

I don't know where the cost is between 5 and \$10,000 on that quote. And I followed that up when I was talking to one of the regional, and the quote is out there. And there's been many other businesses that have come to us and have wanted to hook up natural gases for business and farms, and the quotes, if you're going over a quarter of a mile, start running up in the 20

to \$30,000 range. And that's basically . . . They say, we can't cover that.

Another cost is . . . same things, power lines out there, the cost. You want to bring power to a yard site now, the cost is I think about \$5,000 a mile or more. And the same thing. I don't know where the cost is on that. It's not like they're giving you the gas and the power for free when you get it. They're selling it to you at a premium. They're also making money on the distribution of the power and the gas, and they still want to make money even as they're laying the lines to expand it.

So that's . . . If you want to employ more people, you should be looking at bringing programs like that into rural Saskatchewan instead of trying to take out power. I know now if you have a yard sitting now, if you don't use the power, they pull the line out. They won't even leave the lines there any more. They pull them out.

And there's been a couple instances where they've pulled lines out and two years later somebody else has wanted to move to that acreage or wanted to expand close by. Well 4 miles of line have been tore out for absolutely no reason, Mr. Speaker.

Another we're talking about . . . I don't know what kind of message the Crowns want to send to the youth, but talking about power poles, out in my constituency we have what we call a power pole tax, Mr. Speaker. I don't know if you know what that is. But a tax . . . There's two communities out in my area that have local cable TVs, or local, their own local cable companies. They provide service to local residents. SaskTel had signed an agreement with these towns and the cost was \$6 a pole, which was okay. They knew that in advance; they signed it. They passed that cost on to their customers. Everybody was quite happy. SaskTel was happy, I believe; the small towns were happy. The people that were getting cable was happy.

So what happens a year and a half ago? SaskPower comes in, takes the contract away from SaskTel . . . They had a written contract to 2007, I believe — 2007. SaskPower basically rips it up — rips it up — writes to these towns and say, we're going up. I don't have the figures right in front of me but if I remember right, I think the first year was 15 per cent. Next year, we're going up another 30 per cent. And the year after that, we're going up another 45 per cent. They hadn't even signed a contract with these two towns.

What kind of message is that sending out to young people, when you come in there as a Crown and basically tear up a written contract? Right now, the two towns are basically looking at taking this further into the courts. I mean, they had a legal written contract with SaskTel.

It's not like it's an extra cost that's going to cost SaskPower. We're dealing with a cable line. We're dealing with a line that's probably not any . . . that's less thicker than this pen, on a existing power pole. It's not like it's going to pull these power poles down. It's not like it causes any damage to the power poles.

Before that, it was a nice working relationship between SaskTel and these communities. But right now, these communities are very sour towards the Crowns right now with that. There was

no consultation. There was no meeting. You know how they were informed? They got a letter just saying, we're upping the rates. And they were saying, we don't even deal with you; we didn't sign this contract with you. And they says, well it doesn't matter; we took it over from SaskTel.

We've raised this issue in committees and we still haven't got an answer on it. But these communities aren't happy with that. If you wanted to send a message out there of the Crowns, you want to send a message that you want to work with towns, that you want to be the work of choice with young people, with Aboriginals, you should maybe honour some of your contracts and have a good working relationship out there with your clients, with your people out there and that.

Talking about with the youth here, in hiring with the Crowns, you look at a lot of the other things where they're chasing away young people. The hotel association, they were hiring young people. Now they've eliminated the discount on a \$100,000 volume which affects a lot of the hotels out in my constituency. They're going to have to raise their prices. I've met with them, the hotel association. They're going to have to lay off probably . . . He says, if our volumes drop, our sales drop — which they're going to — we're going to lay off one person. And it's going to be my youngest person, he said.

The hotels . . . He said, I've got about . . . the one I was talking to had four people working for them and he said, I've got two students that are just 19 years of age. He said, unfortunately it's going to be the young person that gets laid off. Well I'm hoping the Crowns are going to hire him. If not, that person will probably leave to Alberta.

But one of the issues that we have with this particular Bill, it doesn't talk about growing Saskatchewan through other sectors, just through the Crowns — just through the Crowns. And helping this . . . The Crowns in this province already run about 60 per cent of the economy. I can bring up another, another with IRON Solutions in Outlook, another example of . . . It's a magazine, a dealers ag magazine, employs 25 people in the town of Outlook. What did the Crowns do? They went and bought the similar magazine in Ontario, kept the people working there. And that guy is in the danger now of having to lay off a few young people on there. So how is that helping to grow this province? You should be trying to help all the sectors of business, not just trying to get into more businesses.

(15:45)

And that's what worries a lot of people out there that the Crowns are going to keep trying to expand into areas that they're not basically familiar with, and buying businesses they're not familiar with, and losing money.

When the Crowns stick to their core functions they do all right except for maybe some of the programs out there. But they still basically provide a good service out there. But when they start buying other businesses such as that compete with rural town . . . local towns out in rural Saskatchewan, that hurts them. And then people have to lay off people or they can't hire, and then you wonder why we have just an aging population. And per capita we don't have between 25 to 45 young people that are left here, Mr. Speaker.

And also they've talked about . . . I don't know what kind of message you are going to send to young people when they look at the investment losses that the Crowns have made over the years. I'm hoping that young people, they've . . . talk about having young people on the boards, one on each board, and that's good, because I think they do need some business expertise out there. Maybe these young people . . . (inaudible) . . . to them.

We can talk about the 28 million that was lost there, the other ventures that they've lost money from mega bingo to just about the dot-coms in Atlanta. There's lots and lots of businesses out there that they've lost money on there. I can go with . . . The member that just spoke before me from Wood River went down that list very ably and so I'm not going to repeat every loss. I think the total loss on it was a little over \$300 million.

And when you break it down . . . we've talked in here before, but when you add that up and you think that a government, a government out there has lost \$312 million. You'd think over the years, what could that have done for this province? What could that have done for health care? What could that have done for education? We wouldn't have to raise the PST at that end. We wouldn't have to do a lot of things that this government is bringing in. When you lose, you put that much money, that loss of over \$312 million together, that in itself is very disturbing at that end of it.

And then another thing is, are they even going to keep the promise of hiring these people? I mean you look at the promises they haven't kept. One of them is on the education tax right now. They said two years ago that they would be addressing that problem. Did they last year? No, they ran an election campaign. At SARM, the Premier made the same statement; it will be addressed this year for sure. What are we getting now? No, we've got to put it off again — another . . . that's a broken promise.

Another promise, broken promise is they had said that they would not, not be any hospital closures on their action plan. There would be not any closures of long-term care beds. What are we hearing right now? Hospital closures, long-term care bed closures.

Another broken promise — on agriculture, they promised the farmers that they would fully fund CFIP (Canadian Farm Income Program). Now that they've pulled out, they're not funding the last 12 per cent, Mr. Speaker.

And it deals with this Bill. It deals with promises that are in this Bill, that the minister had said in the *Hansard*. Are they going to keep . . . why would they keep this promise when basically they haven't kept a promise yet that they've made at that end of it?

But one of the other instances or concerns that have been raised with CIC (Crown Investments Corporation of Saskatchewan) is, is there going to be . . . the direction of CIC, is it going to be taking over more businesses or is it just going to stick to the core function? When we talk to people out there, they want to stick to the core function. I've never heard anybody say, yes, I don't mind that they bought . . . they were in the potato industry or that they were into SecurTek or they were into mega bingo.

That's taxpayers' money. They say, leave it with the core functions. Let them stick with their core functions, not to go out and buy other businesses.

You're running . . . basically you want to run a corporation like Disneyland or you just want to just keep . . . you might as well just open, go on the stock exchange with CIC. Will that be the next move? Is entering the stock exchange with them . . . they might as well if that's what their goal is at that end of it, Mr. Speaker.

With this piece of legislation, I think it needs to be put out there and I think it needs to be studied more. And I think it needs to be studied quite a bit when it comes to some of the things on CIC. And also some of the . . . minister didn't really address how they were going to hire more people. I mean were they going to buy more businesses? And she didn't really address that in second reading, and I'd like to find more information about that.

What kind of programs are they going to offer? How are they . . . what are they going to do? I've addressed that at the beginning of the speech. Like Crowns out our way are basically starting to lay people off. They have an aging population. They're not expanding the businesses where they could be, or helping the businesses grow, which would help them stay in business. When you . . . you should be trying to encourage businesses out in the area. You should be saying, what can I help to you to bring, to lay a line, a power line to your business out on the farm?

You have a seed-cleaning plant. How can we work this? Can we spread this cost over 20 years? Are we going to . . . the power company going to pick up some of the initial cost? Anything to help business out there.

But no, it's like bang, \$20,000 — if that's your cost to lay the line — they want the money within one year. On some of the places, one of the cases I handled, they wanted I think it was \$5,000 for gas to be brought in. They wanted \$2,500 brought up before they would even bring a power trencher in, before they would even start. They wanted \$2,500 front, up . . . money upfront of that. And he says, you know he says, I've got other expenses, other things on this. He said, I would . . . why can't we spend . . . at least put this cost over a number of years, Mr. Speaker. First of all, it shouldn't be that high. Second of all, at least if you are going to . . . if I have to pay a cost of bringing it in which they . . . people don't mind; they don't mind paying the full shot plus basically a profit on there.

Because when they're laying a line I'd argue that there is a profit going there. Because there is no way it costs \$5,000 to lay less than a quarter-mile of pipeline. I know guys that have worked on lines, and I know what it costs to run a Cat. I know what it costs to run a backhoe out there. And it doesn't cost that much per hour that it would cost that much to lay that little bit of a line in there. So you have to look at what the extra cost is, and that's why there hasn't been any expansion of power or natural gas in rural Saskatchewan.

And even in the cities, I mean barely . . . you take Regina and Moose Jaw. Last statistics, they never grew; they didn't grow. We've had one city that grew in some population. Other than

that, most cities have lost population and all towns have lost population. And with that, you're not going to have any young people left here to hire because at 18 years of age they're going to be gone. Because there's . . . first of all, there's not going to be any jobs with them at that end.

But getting back to this particular piece of legislation, like we said it's . . . I would like to know what kind of programs and what direction that CIC is going to be going in to hire this. I mean, it's also good that they're trying to include the Aboriginal population in here, and that there is good job potential there for the growth there for that.

But before we move this Bill on, I would like to have some more questions answered on it. So at this particular point, Mr. Speaker, I'm going to adjourn debate on this Bill.

Some Hon. Members: Hear, hear!

The Deputy Speaker: — The member has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — That is carried.

Debate adjourned.

Bill No. 34

The Assembly resumed the adjourned debate on the proposed motion by Hon. Mr. Nilson that **Bill No. 34 — The Psychologists Amendment Act, 2004** be now read a second time.

The Deputy Speaker: — I recognize the member for Weyburn-Big Muddy.

Ms. Bakken: — Thank you, Mr. Deputy Speaker. It's a pleasure to enter debate today on the Act to amend The Psychologists Act, 1997. And, Mr. Deputy Speaker, I'd just like to acknowledge, at the beginning, that the changes in this Act were requested by the college . . . the Saskatchewan College of Psychologists. And the Act will make it mandatory for the bylaws to be approved by their membership, as well as amendments to bylaws or the repeal of bylaws.

And, Mr. Deputy Speaker, this is something that is looked on as being positive because it will mean that their membership will be regulating their profession, and it's always a very positive thing to have those within a profession doing their self-regulating. I think that history has proven that because of self-regulation, we see higher standards of practice within not only a profession of the psychologists but all professions within the province and across Canada. And so, Mr. Deputy Speaker, I believe that this is a positive move.

The other request that is . . . or the other part of the Bill that I believe as well is requested and supported by the psychologists themselves is a move in order to have the licence moved from restricted to provisional. And under this move it would mean that once a psychologist has completed his training, that they

could begin practice and be able to carry out their duties and start establishing a practice. And then after some time, they can . . . and they have passed their final examinations, then they would receive a full-fledged licence to be a psychologist. But it would allow them to practice in the interim.

And I would hope, Mr. Deputy Speaker, that this would potentially attract graduates to stay in the province to begin their practice here. And then hopefully that they will stay here after they have received their final designation and make Saskatchewan their permanent home.

As we have seen far too often in the last few years, so many of our young people choose to leave Saskatchewan whether it is to train or whether it's to find a job and, sadly, Mr. Deputy Speaker, many of them do not return.

And so moves like this, that will encourage our young graduates to stay in Saskatchewan, are very positive. And so we're very supportive of this as well and encourage . . . and are glad that the psychologists of Saskatchewan have brought forward this initiative.

And, Mr. Deputy Speaker, further to that, in the Bill there is also some move to acknowledge that there should be greater communication between the psychologists and those that are their licensing body, and that they can have more input into the actual rules and regulations surrounding their profession.

And, Mr. Deputy Speaker, I think we all acknowledge that mental health is often a forgotten health issue in our province and across Canada, and we want to acknowledge that we believe that it's an important part of the whole well-being of individuals. And if you talk to many doctors, they will indicate that a lot of the problems that they end up seeing in their offices begin with a mental health issue and if they were addressed at that level, that they would have . . . there would be far less people that would be attending a general practitioner's office because the mental health issue has manifested into a physical condition. And so it is certainly one of the reasons why we have a great strain on our health system across Canada.

And, Mr. Deputy Speaker, we also realize that there is a lot of stress in people's individual lives and in families because of a heavy workload that they see today, and worrying about finances. And one place where this is very evident is in the farming community today. And the agriculture community has been very severely hit in the last few years, and especially last year with the drought, with the farmers trying to find a way to make ends meet because of the high input costs and the low commodity cost . . . or price that they are receiving for their grain, and then to add on top of that, the whole issue around BSE (bovine spongiform encephalopathy).

I know, Mr. Deputy Speaker, in my constituency we have a lot of ranchers, and the last year has been very, very devastating for them. And there's been hope built up that the border would open and that they'd have movement of cattle, and then it's been dashed, and then it's been reiterated. And so they've been on a real roller coaster, Mr. Speaker, and of course this all lends to more and more stress on individuals and certainly on their families as a whole.

And, Mr. Deputy Speaker, I guess one thing that we must keep in mind is that this week is Mental Health Week. And across the province people are looking at the whole issue of mental health and are drawing attention to it. And I know that in my constituency of Weyburn-Big Muddy, they are holding a luncheon tomorrow, which they do every year. And I believe that in Regina the luncheon is on Wednesday. And I will be attending the luncheon tomorrow in Weyburn and looking forward to doing so.

And this year, the Mental Health Week, they have taken as their theme, Making Connections. And I'd just like to read from the Mental Health Association, Weyburn, how they describe what their theme means of Making Connections, and I quote:

(It) "reflects the importance of making connections to maintain and achieve good mental health. (The) CMHA in Weyburn promotes and advocates for mental health through the strong ... (connection we've forged) with policy-makers, mental health consumers and their families, educators, the media and stakeholders."

The week is to help increase awareness of the importance of good mental health in the community.

(16:00)

And, Mr. Deputy Speaker, I think that we can all appreciate the community involvement that is carried out every day in order to help those that are suffering with mental illness — not only by those that are directly hired and receive a wage for the work that they do, but also for the countless volunteers in our community.

And I'm sure that Weyburn-Big Muddy and area is no exception, but certainly in my constituency there are a great number of volunteers that give of themselves throughout the year to help those that are suffering from mental illness. And many of the staff go far and above the call of duty in the care and the time that they give to the people that they are directly involved with on ... every day.

And I'd just like to commend the people that work directly in the mental health field for what they do contribute to making others' lives better and also to all the volunteers in Weyburn and across Saskatchewan who really are concerned about mental illness and who are willing to help those and to give a hand up to those that are suffering with mental illness.

And, Mr. Deputy Speaker, I guess it's timely that we're speaking about mental health and the psychologists calling for revisions in their Act because of the Children's Advocate report that came out just this April on ... *It's Time for a Plan for Children's Mental Health*. And as the child's advocate indicated, that there are serious concerns around the mental health that is provided in the province of Saskatchewan and especially the mental health that is provided to children, and that we need to look at this whole area and find ways to improve mental health services for especially children in Saskatchewan.

And as the child's advocate indicated, that there is only one in ten children in Saskatchewan that receive adequate child care ... or not child care, Mr. Deputy Speaker, but mental health

care. And of the 42,000 and some children and adolescents in Saskatchewan who have a mental disorder, only 10 per cent of them actually receive adequate mental health care. And so the Child Advocate is asking what happened to the other 90 per cent of the children. And that is a very, very alarming statistic, Mr. Deputy Speaker, that 90 per cent of the children and adolescents in our province who require mental health services are not receiving them.

And, Mr. Deputy Speaker, you know, in the schools there is a ... there is a great concern because the educators are called on to provide a variety of services that are far beyond what it calls for in education. They're asked to look at children's social needs. They're asked to look at the health needs. They're asked to look at their issues dealing directly with justice, and they're also asked to look at mental health issues.

And, Mr. Deputy Speaker, I believe that there needs to be a real emphasis put on a coordinated effort to bring these entities together so that there is not overlap, so there is not a waste of valuable resources and also, and probably most importantly, is so that children that are faced with these issues and that need help from professionals do not fall through the cracks, and do not receive the help they need. And I think, Mr. Deputy Speaker, it's very evident by the Child Advocate's report that this is happening and it is very sad.

And, Mr. Deputy Speaker, I think we see as children grow up and if they do not receive the care and the intervention that they need at a young age, that certainly as they go on through life that these problems become even more evident and there's a great problem and they have ... many children then have problems integrating into society as a whole and maintaining a job and having a good quality of life. And so, I would hope that we would as a government and as a province look at ways to address this.

And as the Child Advocate indicated that the task force that was put together and did report in 1983, and it's two decades later and still there has been nothing done within this province to address these problems. And what a sad commentary. And I would just like to read from the Child Advocate ... from her executive summary where ... and the title of this is *Why a report on Children's Mental Health Services?*, and I quote:

This report, *It's time For A Plan For Children's Mental Health*, is intended to build a broader understanding of the issues faced in the delivery of mental health services for children and youth in Saskatchewan today. Issues or concerns regarding the quantity, quality, and accessibility of mental health services for children and youth in Saskatchewan have been repeatedly raised with the ... (Child's) Advocate Office ... over the past several years. We must also note that the number of specific individual complaints received by our Office have been relatively modest (23 individual complaints between 1999 and ... (2000); 9 in 2002; and a further 6 in 2003). However, the issues presented by the individuals contacting us have been of a compelling nature. The Children's Advocate Office first raised publicly the issue of access by children and youth to mental health services, in the Children's Advocate 1996 Annual Report, *Advocacy With and For Children a Shared Responsibility*. In addition, issues

regarding mental health services were identified by a number of community members in the *Children and Youth in Care Review: LISTEN to Their Voices (2000)*. More recently, co-ordinated and integrated planning for children and youth with mental health and child welfare needs has been recommended by this Office through our review of several child deaths, specifically deaths by suicide.

The CAO 2001 Annual Report, reported that access to mental health services for children and youth is one of several systemic issues that this Office has identified. We also reported, in 2001 and 2002, progress towards clarifying the issue and raising the profile and awareness of the Children's Advocate Office with . . . (children) and youth mental health service providers. Of note in 2002, the . . . (Child Advocate) also received a request from the Saskatchewan Party Caucus to pursue a review of the adequacy and the availability of mental health services for youth in Saskatchewan.

So, Mr. Deputy Speaker, it's very evident that there are real concerns. And because there are real concerns we must look at this Act that the psychologists are wanting passed to ensure that we do not lose any more of our professionals in this field, as we have lost in other fields, because of them becoming concerned and disenchanted with the system in Saskatchewan and choosing to go elsewhere.

And, Mr. Deputy Speaker, the Child Advocate goes on to address the issues and what she would like to see happen in order to address the serious concerns and the lack of children's mental health issues being addressed. And the conclusions of the Child Advocate are as follows, and I'd like to quote:

The Children's Advocate Office has identified several issues with the current mental health system in Saskatchewan which we believe require further analysis and then action. In summary, we have concluded that there is . . . need to:

Create a comprehensive data collection system that is consistent with a population health model and track and report on the status of child well-being and the prevalence of mental disorders in children and adolescents.

Implement a more co-ordinated integrated system across government departments, service delivery agencies, professional disciplines and administrative structures.

Three:

Train, recruit and retain qualified mental health professionals.

And this goes right, Mr. Deputy Speaker, to what this whole Bill is about, is not only about training them but also, once they are trained, a mechanism to keeping them in Saskatchewan and allowing them to be self-regulators of their own profession.

The Child Advocate goes on to say further and I quote, number four:

Make resources for child and adolescent mental health services a higher priority in the health care system.

Number five:

Continue to support public education, prevention and early intervention research and services.

Six:

Fit the service to meet the needs of the child rather than focussing on fitting the child or youth into the existing service delivery system.

And last:

Engage parents, children and youth themselves and . . . (our)community members when plans of action are (being) developed and implemented.

And so, the Child Advocate goes on to make the following recommendations, that:

This report is intended to be a catalyst for creating a comprehensive plan . . . to ensure adequate and appropriate children's mental health services throughout Saskatchewan. Our observations led us to conclude that we need a clear direction and vision for children's mental health services; a direction that reflects what is known about best practices and which includes data collection, analysis and an evaluation of the effectiveness of the services. We need to know that children are indeed accessing the mental health services and supports they need in a timely and effective manner. Right now, while there are some indicators of success, there does not appear to be a clearly articulated plan to ensure that all children, and their families, can access the supports or services they need.

And so the Ombudsman and the Children's Advocate Act under section 24, the recommendation is:

That Saskatchewan Health, in consultation with stakeholders, develop and implement a comprehensive plan to ensure that mental health services are provided to Saskatchewan children, youth and families in a manner that is consistent with what is known about best practices.

And this was a recommendation that was put forth by the Child Advocate in April 2004. And the Child Advocate has made a request that Saskatchewan Health provide a response to this recommendation by January 2004.

And, Mr. Deputy Speaker, I believe that this is very key in that it's been 20 years since the last report came out recommending that there be changes made, that this whole issue be looked at. And 20 years later, the Child Advocate is still calling for this to happen.

And, Mr. Deputy Speaker, interesting in her report, she talks directly to how important it is to train, recruit, and retain people that . . . professionals within the mental health system, which is

what this Bill, Bill 34, is all about.

And she's indicating that we need to have qualified mental health professionals in both the service delivery and in research sectors. And in addition, the pervasive separation between researchers and clinicians could be reduced by a more collaborative . . . collaborative approach between the two systems. And I think that is very true that we need to be working together and so that we ensure that the resources that are available are used in the best possible way.

And, Mr. Deputy Speaker, we believe that there should be some further consultation on this Bill. We have made some inquiries of individuals that are concerned about some of the ramifications, and so we are waiting to give them a reasonable time in order to respond to this. And so I move to adjourn debate.

Some Hon. Members: Hear, hear!

The Deputy Speaker: — The member has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — That is carried.

Debate adjourned.

Bill No. 33

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Beatty that **Bill No. 33 — The Archives Act, 2004** be now read a second time.

The Deputy Speaker: — I recognize the member for Weyburn-Big Muddy.

Ms. Bakken: — Thank you, Mr. Deputy Speaker. It's my pleasure to rise today to speak on Bill No. 33, The Archives Act, 2004.

And, Mr. Deputy Speaker, it appears that the government is taking steps to improve its record keeping and its ability to respond to freedom of information requests. And so on the surface, Mr. Deputy Speaker, this is a worthwhile Bill. As next year is the centennial year, 19 . . . or 2005, and so what better time than now to recognize the importance of maintaining records in the province.

And as communities and the province are preparing to celebrate the centennial, there are many communities that are not only planning how they are going to celebrate, but also they are busy updating history books or writing history books for the first time. And so it's an exciting time, and it's one of when many people and many communities' thoughts are turning to preserving their records and the history in their communities and in our province.

And, Mr. Deputy Speaker, the second part of the Bill is about improving access to information by citizens across Saskatchewan and Canada. And with today's tech knowledge

and with the Internet, information is at our finger tips. But when we think of this, we also realize that it's very important to maintain confidentiality and privacy about issues that citizens do not want to become public.

And, Mr. Deputy Speaker, I guess when we think of this, we look at some of the government's records in this regard. And especially to do with health care records and the concern that many people have had around the NDP's handling of this. And their concern about their privacy of their health care records and that they could possibly get into the wrong hands.

(16:15)

And, Mr. Deputy Speaker, I guess another concern around this whole Bill is what will the cost be of providing, actually, this service, and I do not believe that it is addressed in the Bill.

We look at ISC (Information Services Corporation of Saskatchewan) which was about making it more advantageous to make records available to real estate industries and to individuals across the province. And we all know what happened in that regard — the escalating costs and a system that is burdensome, and that certainly I believe, at this stage, is now . . . many of the kinks are getting worked out of it, but at one time certainly did not improve access to records and to service for people that needed it across the province.

And of course the major concern is the \$110 million that it cost to eventually receive this service when the software could have been purchased off of the shelf for \$2 million. And so the people of Saskatchewan paid a huge price for revision in land titles.

And further to that, Mr. Deputy Speaker, we also look at SHIN (Saskatchewan Health Information Network), which to date has incurred \$65 million in costs to the people of this province, and still is not operational and is not serving the purpose. We are still hearing concerns from individuals and as recently brought up in the legislature by members of the Saskatchewan Party because of people that have come to us with concerns about how their records have been either lost or not communicated properly between departments and between doctors and between hospitals within the health care system.

And so, Mr. Deputy Speaker, it's always a concern when we hear the present government talking about making public . . . creating a public record review and how they're going to work within . . . producing this for archives. And we're certainly hoping that the experience with them of putting forth a good record-keeping system for archives and maintaining this material has much greater success than we have seen from this government in previous initiatives that they have taken in this same kind of initiative and regard.

And, Mr. Deputy Speaker, there's also indication under section 8 that there would be . . . that the Archives Board would be able to seize private collections and not pay fair value for those collections. And, Mr. Deputy Speaker, if there's one part of this Bill that is of great concern on this side of the House, is that section, section no. 8. And, Mr. Deputy Speaker, I would just like to read actually from the Bill, section 8, which says:

Power to receive other historical material

The Archives Board may acquire by gift, devise or in any other manner printed documents, manuscripts, private papers and any other record or material, to . . . (whomever) belonging, having a bearing on the history of Saskatchewan.

And so, Mr. Deputy Speaker, I would hope that this does not mean that articles of personal nature could be seized without proper authority of the people that are in possession of them at the time.

The one thing that comes to mind when I read this is that back when the NDP closed all the hospitals in Saskatchewan — they closed 52 hospitals in rural Saskatchewan and the Plains hospital — and in my constituency, the hospital at Bengough was a prime example of where there was total disregard for value of personal items that had been donated to the Bengough Hospital, where they disappeared and no one had any account for them. And many of these articles were given in remembrance of loved ones who had passed away, or donations of kindness from their heart, that they wanted to do something for their community. And when the NDP came in and closed those hospitals, those valuables that were in the hospital were lost in the system.

And that was of grave concern to the people in the Bengough community. And I'm sure that that happened across the province in other instances.

And I would hope that this government is . . . pays particular attention to that and does not believe that they can go in and that they can seize private individuals' property and pieces of history and articles that have come down through their families and that they hold very dear — that they do not believe that they can somehow seize them and that they have authority to do so.

And so, Mr. Deputy Speaker, I am hoping that that is not what section 8 means. So our concern is about really the underlying current of what this could possibly mean.

Mr. Deputy Speaker, we will . . . other members of our caucus would like to speak on this Bill. They have some concerns about the historical artifacts and what could possibly happen to them and what this Bill really means. And so at this time I would like to adjourn debate.

Some Hon. Members: Hear, hear!

The Deputy Speaker: — The member has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — That is carried.

Debate adjourned.

Bill No. 32

The Assembly resumed the adjourned debate on the proposed

motion by the Hon. Mr. Quennell that **Bill No. 32 — The Powers of Attorney Amendment Act, 2004/Loi de 2004 modifiant la Loi de 2002 sur les procurations** be now read a second time.

The Deputy Speaker: — I recognize the member for Kindersley.

Mr. Dearborn: — Thank you, Mr. Deputy Speaker. It's a pleasure to rise in the Assembly today to address the people of Saskatchewan and the Assembly with regards to Bill No. 32, An act to amend The Powers of Attorney Act, 2002.

Mr. Deputy Speaker, one of the important aspects of this Bill as it deals with powers of attorney is that it deals with choices and freedoms. And there was a necessity to take this piece of legislation and expand upon it and make changes so that pragmatic situations in the real world could be better aptly suited.

In basic terms, one is able to ascribe a power of attorney to a member of the Saskatchewan bar association to make decisions for them on their behalf. And what this particular amendments do, is splits those decision-making priorities possibly between personal decisions — and by example, Mr. Deputy Speaker, this could mean such things as health, it could mean such things as choices of where an individual would want to reside, things of a personal nature — whereas split from that, a second attorney could be appointed for notions surrounding property.

And I think that there is a good reason for this going forth. You may have a long and trusted friend who is in the legal profession who you would be very comfortable with making decisions around your personal welfare. Even standing powers of attorney acts with regards to what would happen to me, Mr. Deputy Speaker, if I were to become disabled, incapacitated, have a stroke, that sort of thing. So that we're able to have someone that we've known for a long period of time maybe outside of a professional relationship make those kinds of decisions.

However on the other side with regards to the finances, our estates, bank accounts, that sort of thing, we may want to have two different individuals do representation and power of attorney just for our investment side — could have some good checks and balances that it would provide in that the retention of someone interested just in your portfolio and whatnot, not crossing over to decisions that might have to be made about your lifestyle, your health, and whatnot, could protect that estate. And I'm sure that that's the reason that such things have been put in.

Mr. Deputy Speaker, power of attorney, at the basis of it, it is handing over freedom to an individual that you're assigning to make decisions on your behalf. And at the essence of it, and at the essence of our democratic process, is that nature of choice. So it is extremely important when we are able to hand out our choice to another individual to act on our behalf. The whole basis of our democracy in Canada is based on the individual choice, individual rights, individual human rights, and individuals being able to speak up freely for what they believe, worship how they believe, pursue financial wealth as they see fit — sometimes better off in other provinces than here.

Mr. Deputy Speaker, it is about though being able to exercise free will and pursue decisions for our own life rather than having other persons do those for us. And we see this manifest at the highest end in the democratic process of our elections — be they federal, provincial, municipal, or even on various boards. At the basis of that, Mr. Deputy Speaker, is a recognition that all individuals have this ability to make choices. And in democratic countries such as ours, we ascribe equality based on individual personhood for the manifestation of that choice. So when you have a situation where one individual is freely going to pass over that choice, to give it up to someone else to act on their behalf, it is with the most serious of consequences.

And it's part of the reason that such a Bill has come before the House is that in the past there have been situations with unscrupulous attorneys who . . . For whatever reason, an individual may have placed a power of attorney with a particular lawyer, and maybe they didn't have family, maybe they didn't have friends, maybe they were incapacitated — and at the end of the day, situations may have occurred where funds had been misused, funds had been misspent, funds had been misappropriated. And that's in part what this Bill tries to protect by allowing for two different attorneys to be appointed — one for matters of a fiscal nature and one for matters of a personal nature.

And on that, Mr. Deputy Speaker, the Bill's main objective will allow granters of enduring powers of attorney to give lawyers decision-making power with respect to personal matters as well as financial matters. Enduring power of attorney is a power of attorney that continues after the incapacity of the granter, and this allows an individual to appoint a trusted person to make decisions on his or her behalf when he or she is no longer able to do so.

And of course, Mr. Deputy Speaker, we see this often in the case of our aged population and the elderly. Saskatchewan sadly suffers from the highest per capita rate of dementia in the country. And because of those reasons, this Bill becomes all that more timely.

Following the 2002 Powers of Attorney Act, the government received numerous requests to amend the Act to allow granters of enduring powers of attorney to give lawyers personal decision-making as well as financial decision-making authority. Amendments will allow for appointment of personal attorneys as well as property attorneys, and this will provide autonomy and flexibility to those seniors who may be concerned about future loss of decision-making capacity.

One of the good things about this, Mr. Deputy Speaker, is that these are decisions in the appointments made beforehand. And it allows individuals that can foresee their health deteriorating or their ability to choose and exercise their freedoms, for whatever reason — and likely a health cause — not being there in the future. They're allowed to be able to determine, as much as they can, their own destiny beforehand by making the said appointments.

In the past there are recognition of ad hoc arrangements that have worked, in the past are also acknowledged, and it's allowed for the opportunity of abuse. Court appointed powers

of attorney provide protection against such abuse but they sadly have the side effect that they can be complex, costly, and time-consuming. And persons so appointed may not end up being the person which the adult seeking the power of attorney may have preferred. This can be very problematic and extremely stressful to individuals if they're having a court appointed power of attorney, particularly if they're slipping in and out of dementia.

So it's an added level of stress that hypothetically could further the downward spiral of an individual suffering from health, an elderly person . . . that they're having — on their good days — to deal with legal situations, having to worry about the state of their finances; if upon getting legal bills, seeing the enormity of them as the billing structure never seems to slow down in most law firms across the province. And because of that, Mr. Speaker, if they came out on a good day and see the costs involved with what lawyers are charging to become a power of attorney, it could cause them a great deal of angst. I can ascertain, Mr. Deputy Speaker, I have often been caused angst myself upon receiving legal bills.

Court appointed powers of attorney provide protection against such abuse . . . oh, and . . . but as I said, they can be complex.

(16:30)

That's the other thing, Mr. Deputy Speaker. The ability to put these powers of attorney into place prior to health deterioration can simplify the process for members so that . . . for individuals having the power of attorney assumed or provided for them, so that they're not having to try to deal with overly complex situations when they may best not be able to.

A government refers to the appointment of personal attorneys as appropriate middle ground. And since it provides grantors of enduring powers of attorney various options for appointing necessary counsel, in those cases where it's not clear whose authority is required to implement the decision, the decision of the property attorney will prevail.

Simply what that means, Mr. Deputy Speaker, is you have two attorneys appointed — one to handle personal matters, one to handle financial matters. And you have a situation which goes beyond being a purely financial state, one that possibly, on a hypothetical situation, move from an interim care living facility to a long-term care home. But questions around the viability from the financial aspect and the person's individual income come into play.

The individual now being incapacitated, not able to make the decisions to the best of their ability, maybe not having family or someone appointed to be able to do that, this leaves it in the state that, hopefully, the attorney with the decision on property would be able to prevail to be able to make prudent decisions of whether care that would be provided could be sustained in the long run, so that prudent decisions could be made and not a situation where the heart is necessarily pulling out ahead of the head.

There's also a provision where the court may be asked which decision is to be followed. And that makes sense too. You may have two very well-intended powers, lawyers acting in the role

of power of attorney, unclear about what the best role is. And rather than wanting to make a decision — obviously there being two sides to the coin; it would negatively affect the client — they are able to take it before a court and say here are our two arguments.

On side A, we have these four points. On side B, we have these four points and we want to make the best decision for our client so we're presenting this argument to you and hopefully the court . . . We have agreed that you can act as a third party mediator in this and that we will follow your binding decision.

But we do hope that this provision will not be used excessively where charges for the services of both attorneys are used time and again for them to make court presentations where normally quick decisions could be made of a reasonable nature.

Regarding accounting decisions, the amendments will extend current provisions to apply to personal as well as property attorneys to allow for an interchange between the two. And essentially, Mr. Deputy Speaker, what's being fathomed here is the ability for decisions that have to be made personally — say, a purchase of some sort, furniture, medication, whatever it might be — that the property attorney is able to transfer funds to the acting personal attorney so that such decisions can be implemented for reasonable needs for the client.

Provisions limiting when attorneys may act will also be extended to personal attorneys. And I would suspect, Mr. Deputy Speaker, that such limitations will be clearly spelled out, and they will have been developed over the course of time relative to incidents that have happened before with a pure reason, Mr. Deputy Speaker, of eliminating abuse in the future.

The Act also clarifies that a property attorney may not make or change a will in the name of a grantor. And that becomes very important, Mr. Deputy Speaker, to have a situation where an individual loses their health and then has their will amended on their deathbed, so to speak. It can very much fly in the face of the conscious decisions that they would have made earlier, possibly more rational decisions. It doesn't mean to say that there cannot be situations where a change of heart can occur. However, the protection in this Act about that sort of change, I think, is merited and especially in the name of a grantor.

Mr. Deputy Speaker, there are other aspects for the provision of protecting individuals' rights outside of the power of attorney that can be used in a fashion, such as living wills, both for wills upon outlining of property, directions, outlining of estate planning, also living wills with regards to decisions regarding medical procedures to be undertaken or not, decisions around what the best aspect is for an individual undergoing treatment or no longer able to speak or no longer able to communicate what their wishes would be . . . which raises an interesting point, Mr. Speaker.

When you have a division between the aspects of living wills being written to and adhered to and at the same time having powers of attorney assigned to individuals, which has precedent? How are those decisions being made? I believe that at the end of the day it appears that the power of attorney, upon being signed over, does have the right to act on behalf of the individual. So we would hope that legal scholars will be

studying the cases of where you have a differentiation between living wills and powers of attorney acting contrary to that, and that the scholarship proof for the next time that such an Act needs to be amended, what the particular consequences of this could be.

Mr. Deputy Speaker, we are pleased that in this particular Bill we've had a number of persons consult with the government on drafting this legislation. Obviously it has an effect on a great deal of people. Everyone and their families will have at some point in their life individuals that go into health care centres, and at the end of . . . towards the autumn years and will eventually pass away. And from time to time it may be necessary for those individuals to employ powers . . . to employ attorneys in the position of power of attorney to make decisions on their behalf. And so we're glad that such consultation has happened on putting forth the particular amendments to this Bill.

In the second reading of the speech, the minister referred to the appointment of a personal attorney as the appropriate middle ground, and the Bill allows for the appointment of personal attorney, property attorney, or both. The same person may serve in both roles. And that's important here, Mr. Deputy Speaker, especially for older individuals that may have had a lawyer as their family lawyer, their business lawyer, for a number of years; they're comfortable with that individual. And if they so . . . maybe a trusted family friend. It may be someone that they want to have in the position of both — making personal decisions for them and making decisions around their properties. And so that's good that that option exists. It's also good on the other side of the coin, that there could be a separation if the situation necessarily warranted it.

Mr. Deputy Speaker, I'd like to read now from the Bill itself, just to go through the actual amendments. Section 2 is amended, and the following should be put in place — 2:

(a) in the definition of “accounting” by adding “or personal affairs, as the case may be” after “property and financial affairs”;

(b) in clause (a) of the definition of “capacity” by adding “or personal affairs, as the case may be” after “property and financial affairs”;

(c) by adding the following definition after the definition of “capacity”:

Add in quotations:

“contingent appointment” means an appointment described in section 9; (*«nomination éventuelle»*);

(d) by repealing the definition of “contingent enduring power of attorney”;

(e) by adding the following definition after the definition of “grantor”:

“personal attorney” means a person who is appointed to act for the grantor under the terms of an enduring power of attorney with respect to the grantor's personal

affairs . . . ”;

(f) by adding the following definition after the definition of “prescribed”:

“property attorney” means a person who is appointed to (the) act . . . the grantor under the enduring power of attorney with respect to the grantor’s property and financial affairs . . . ”;

Mr. Deputy Speaker, we go on to see that under:

(g) by adding the following definition after the definition of “property attorney”:

“public guardian and trustee” (to be inserted) means that the public guardian and trustee continued pursuant to *The Public Guardian and Trustee Act* . . . ”; **and**

(h) by repealing the definition of “public trustee”.

The new sections under 2.1 of:

The following section is added after section 2:

“Application of (the) Act

This Act does not apply with respect to health care decisions governed by *The Health Care Directives and Substitute Health Care Decision Makers Act*”.

And, Mr. Speaker, I wish I had the year on that Act right now for your attention, but sadly it’s not quoted in the paper. So I’m sure that when it rises in the next debate, someone will have that information at our fingertips.

The new section 4.1:

The following section is added after section 4:

“Appointment of attorney

4.1(1) A grantor may appoint a personal attorney, a property attorney, or both . . . personal and property attorney.

(2) If a grantor appoints a personal attorney and a property attorney, the grantor may appoint the same person to act as both attorneys or different people to act as the attorneys.

However each attorney has to act as himself, not vice versa.

(3) If an enduring power of attorney is granted on or after the coming into force of this section, unless an enduring power of attorney states otherwise, an attorney appointed pursuant to an enduring power of attorney is both the personal attorney and the property attorney of the grantor.

And:

(4) If an enduring power of attorney has been granted before the coming into force of this section . . . has not been revoked, the attorney appointed pursuant to the

enduring power of attorney is the property attorney, but not the personal attorney, of the grantor”.

I hope that that is completely clear, Mr. Deputy Speaker, because this is the essence, in essence the whole aspect of the Bill. And for the member from Carrot River who seems to have missed point 4, I’ll go through that particular aspect once more, and see if I can’t do it quicker.

(4) If an enduring power of attorney has been granted before the coming into force of this section and has not been revoked, the attorney appointed pursuant to the enduring power of attorney is the property attorney, but not the personal attorney of the grantor.

That sounded a little more clear, and I’m glad that the member from Carrot River was able to get it on the second time around. And of course, as he is noting, it’s completely different than section 2, which says:

(2) If a grantor appoints a personal attorney and a property attorney, the grantor may appoint the same person to act as both attorneys or different people to act as (their) attorneys.

Section 6 amended . . . Subsection 6(1) is amended that:

(a) in subclause (a)(ii) by adding “who is appointed to act as a property attorney,” **before** “if the individual”; **and**

. . . in the English version only, by striking out “and” **after clause . . . and substituting** “or”.

This is one of those classic cases, Mr. Deputy Speaker, of the and/or following one after the other. Section 7 amended:

Subsection 7(1) is amended by striking out “one attorney” **and substituting** “one personal or property attorney”.

And that becomes quite necessary for the following:

(2) Subsection 7(2) is amended in the portion preceding clause (a) by striking out “one attorney” **and substituting** “one personal or property attorney”.

It’s good that we’re making clear throughout the Act, Mr. Speaker, the distinctions between personal attorneys and property attorneys, much is the essence of the Bill.

Section 7(3) is amended by striking out “more attorneys” **and substituting** “more personal or property attorneys”.

And subsection (4) is amended:

in clause (a) by striking out “more attorneys” **and substituting** “more personal or property attorneys”; **and**

in clause (b) by striking out “more attorneys” **and substituting** “more personal or property attorneys”.

So from the last seven or eight paragraphs, Mr. Speaker, we got nine more attorneys being struck out and corresponding more substitutions at the number 9 as well, more personal and property attorneys. So in the course of a mere page and a half, we've had a doubling of the number of potential attorneys. And I'm sure the attorneys will be glad to hear this, as where you went from one you could now to go two, in essence.

New section 8.1

The following section is added after section 8:

“When appointment of attorney comes into effect

8.1 Subject to section 9, the appointment of an attorney under an enduring power of attorney comes into effect on execution of the enduring power of attorney”.

And I can see from the look on the face on the member from Regina South that he was quick to determine that it is important that it does come into effect on execution of the enduring power of attorney. The failure of the enduring power of attorney to execute in effect the appointment of attorney under . . . I remember, Mr. Speaker, from time to time when I go over such, when I go over such legislation, the importance of why we're here, Mr. Deputy Speaker. The reason that we're here, the reason that the people of Kindersley sent me here to be able to have the individuals across the floor hear what the concerns are by the people of Kindersley.

(16:45)

And the individuals from Kindersley, Mr. Deputy Speaker, in the past two elections have voted in a ratio of 8:2 against this government. And I know that they feel that it is important that their member come to the Legislative Assembly, that their member speak to the Legislative Assembly, that their member make informed this present NDP government on the legislation that is before us. And with that point, I will return to:

“Declaration by nominee (of)

9.1 Subject to subsection (2), an enduring power of attorney containing a contingent appointment may name one or more adults, other than the attorney or a family member of the attorney, on whose written declaration the specified contingency, including the lack of capacity of the grantor, is deemed to have occurred for the purpose of bringing the contingent appointment into effect.

If an enduring power of attorney (and for the member from Prince Albert, this is section (2). If an enduring power of attorney) containing a contingent appointment names two or more adults, a written declaration is valid . . . (is one):

(a) all of the named adults sign the declaration; or

(b) one or more of the adults named is unable to make the declaration for any of the reasons set out in subclauses 9.2(1)(b)(i) to (iii) and all of the remaining named adults sign the declaration.

Mr. Deputy Speaker, there's a lot of cross-floor debate that I'm realizing here, because the powers of attorney is important to the point that the government is sitting up and taking note of it. I'm glad that the member from Regina Dewdney is taking note relative to the declaration of incapacity by prescribed professionals. This specifically, Mr. Deputy Speaker, is coming out of section 9.2(1):

This section applies to a contingent appointment under an enduring power of attorney that comes into effect on the lack of capacity of the grantor if:

(a) the enduring power of attorney does not name one or more adults pursuant to subsection 9.1(1);

(b) the grantor has named one adult pursuant to section 9.1(1) and:

(i) the adult dies;

(ii) the adult indicates in writing to the most immediate and available adult family member of the grantor that he or she is unwilling or unavailable to act; or

(iii) a court finds that the adult lacks capacity . . .

It also goes on to say in section (c) that:

the grantor has named two or more adults pursuant to subsection 9.1(1) and all . . . the adults named are unable to act for any of the reasons set out in subclauses (b)(i) to (iii).

I can hear, Mr. Deputy Speaker, that our members are engaged in such a debate and which will I see by the clock, we have about 12 minutes till the afternoon session is done. And we'll hope that I'll be able to round up my remarks regardless to this, regarding to this particular Bill by that time. However, there can be no guarantees on that as there's a lot of important information yet to go through as we can see with subsection 9.3 on disclosure:

Notwithstanding any other Act or law, a person authorized by law to provide health care treatment shall disclose personal health care information to a person authorized to make written declaration pursuant to subsection 9.1(1) . . . (on) subsection 9.2(2), if it is necessary to enable that person to make an informed declaration.

Essentially what this is talking about, Mr. Deputy Speaker, is if you have an individual in the hospital, incapacitated, that the health care providers are able to carry out instruction to the individual with power of attorney on the details of that individual's care and their assessment on their ability to individually act.

It can happen, however, that under 9.4, declaration by the court:

If the specified contingency mentioned in section 9 is not the lack of capacity of the grantor in any of the circumstances mentioned in clauses 9.2(1)(a) to (c) occurs, the public guardian and trustee or any other interested person may apply to the court for a declaration that the

specified contingency has occurred for the purpose of bringing a contingent appointment under and enduring power of attorney into effect”.

Well it's good that this comes prior to decisions being made relative to any individual and their health with regard to power of attorney.

Section 10 has been amended and it is amended by:

... **striking out** “subsections 9(3) or (4)” and **substituting** “section 9.1, 9.2 ... (and) 9.4”.

Subsection 10(2) is amended by striking out “a power of attorney” and **substituting** “an enduring power of attorney”.

That makes a total of 10 times now, Mr. Deputy Speaker, that the power of attorney has been amended to the power of a enduring power of attorney.

And section 12 amended:

11 Clause 12(1)(a) is amended by striking out “an independent” and substituting ...

An amended section 12:

Subsection 13.2 is repealed and the following substituted:

“An extra-provincial power of attorney is an enduring power of attorney containing a contingent appointment if:

(a) it is a valid enduring power of attorney according to the law of the place where it is executed: and

(b) it provides that an appointment comes into effect on a specified future date or on the occurrence of a specified contingency”.

Mr. Deputy Speaker, it's important that we go over this Bill line by line because ... (inaudible interjection) ... Yes, absolutely. Because without being able to do such, we would have a situation where, that we may have questions left in the minds of the government regarding how people feel about the legislation.

Mr. Deputy Speaker, going on to section 14, it's amended. Section 14(1) is amended by adding “... (other) personal affairs” or “the property and financial affairs.”

Subsection 14(2) is repealed and the following substituted:

“(2) A grantor may give an attorney:

(a) specific authority respecting certain property or financial matters;

(b) general authority respecting all of the grantor's property and financial ... (matters);

(c) specific authority respecting certain personal

matters; or

(d) general authority respecting all of the grantor's personal affairs”.

This is a great plethora, Mr. Speaker, and it is a step forward that we have four such relevant choices before us. It begs into the question how prior to 2002 we were able to have powers of attorney granted without such a general choice being offered to people that in essence that are going to hand over their entire ability to choose to another individual.

So it's good that we're seeing some legislation around this. It's good that we're seeing it being set out, that it being ... The member from Regina Dewdney is questioned and troubled about parts of subsection (2) on section 13, and I concur, Mr. Deputy Speaker. There are things in these four points that are of great concern, but I think by and large they are to the positive.

Having a grant or giving an attorney specific authority respecting certain property or financial matters is important. People in their autumn years may have certain aspects of their estate that they don't want touched. They may have certain aspects of bank accounts set aside for grandchildren that they think are important.

The Deputy Speaker: — Order. Order. The member has the floor and is making a speech and hon. members are having private conversations which makes it difficult to hear. So I would ask hon. members to give attention to the member who has the floor. I recognize the member for Kindersley.

Mr. Dearborn: — Thank you, Mr. Speaker. Sadly I've lost my spot. We'll have to have a look at The Powers of Attorney Act, 2002.

Sadly I see on the clock, Mr. Deputy Speaker, that our time is drawing to a close. I know that members would prefer to sit this evening and hear more of this, but I will make the movement that on Bill No. 32, debate be now adjourned.

Some Hon. Members: Hear, hear!

The Deputy Speaker: — The member has moved adjournment of debate. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — That is carried.

Debate adjourned.

The Deputy Speaker: — I recognize the Government House Leader.

Hon. Mr. Van Mulligen: — Mr. Speaker, I move the House do now adjourn.

The Deputy Speaker: — The Government House Leader has moved this House do now adjourn. Is it the pleasure of the Assembly to adopt the motion?

Some Hon. Members: — Agreed.

The Deputy Speaker: — That is carried. This House stands adjourned until 1:30 p.m. tomorrow.

The Assembly adjourned at 16:55.

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