



FIRST SESSION - TWENTY-FIFTH LEGISLATURE

of the

**Legislative Assembly of Saskatchewan**

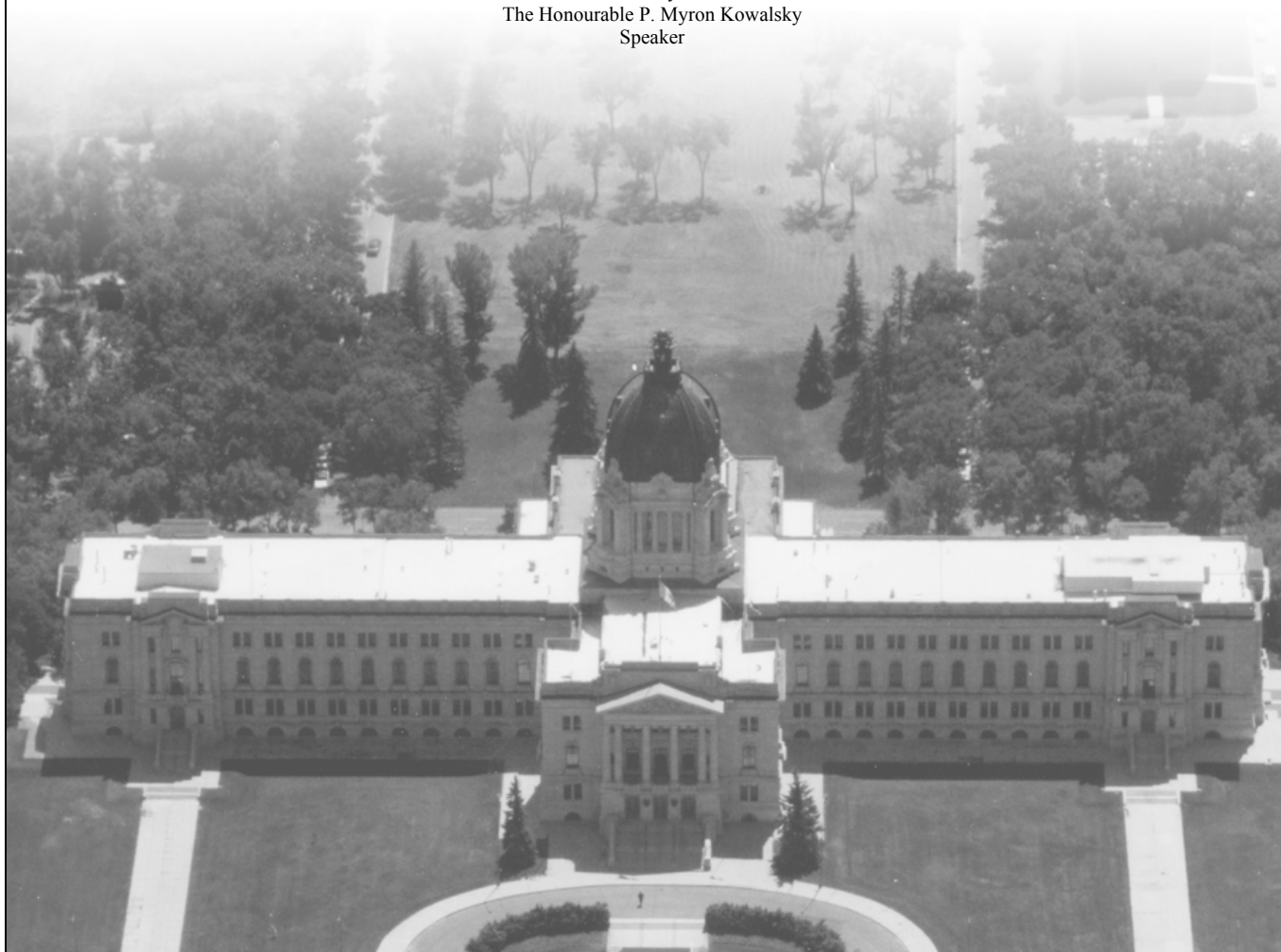
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**DEBATES  
and  
PROCEEDINGS**

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(HANSARD)

Published under the  
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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
Bjornerud, Bob	SP	Melville-Saltcoats
Borgerson, Lon	NDP	Saskatchewan Rivers
Brkich, Greg	SP	Arm River-Watrous
Calvert, Hon. Lorne	NDP	Saskatoon Riversdale
Cheveldayoff, Ken	SP	Saskatoon Silver Springs
Chisholm, Michael	SP	Cut Knife-Turtleford
Cline, Hon. Eric	NDP	Saskatoon Massey Place
Crofford, Hon. Joanne	NDP	Regina Rosemont
D'Autremont, Dan	SP	Cannington
Dearborn, Jason	SP	Kindersley
Draude, June	SP	Kelvington-Wadena
Eagles, Doreen	SP	Estevan
Elhard, Wayne	SP	Cypress Hills
Forbes, Hon. David	NDP	Saskatoon Centre
Gantefoer, Rod	SP	Melfort
Hagel, Glenn	NDP	Moose Jaw North
Hamilton, Doreen	NDP	Regina Wascana Plains
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
Huyghebaert, Yogi	SP	Wood River
Iwanchuk, Andy	NDP	Saskatoon Fairview
Junor, Judy	NDP	Saskatoon Eastview
Kerpan, Allan	SP	Carrot River Valley
Kirsch, Delbert	SP	Batoche
Kowalsky, Hon. P. Myron	NDP	Prince Albert Carlton
Krawetz, Ken	SP	Canora-Pelly
Lautermilch, Eldon	NDP	Prince Albert Northcote
McCall, Warren	NDP	Regina Elphinstone-Centre
McMorris, Don	SP	Indian Head-Milestone
Merriman, Ted	SP	Saskatoon Northwest
Morgan, Don	SP	Saskatoon Southeast
Morin, Sandra	NDP	Regina Walsh Acres
Nilson, Hon. John	NDP	Regina Lakeview
Prebble, Hon. Peter	NDP	Saskatoon Greystone
Quennell, Hon. Frank	NDP	Saskatoon Meewasin
Serby, Hon. Clay	NDP	Yorkton
Sonntag, Hon. Maynard	NDP	Meadow Lake
Stewart, Lyle	SP	Thunder Creek
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 Kelvington-Wadena.

**Ms. Draude:** — Thank you, Mr. Speaker. I'm very pleased to rise today on behalf of people from my constituency who are very worried about the government's upcoming issue about closures of homes.

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 Foam Lake Jubilee Home is not closed or further downsized.

The people that have signed this petition are from Rose Valley, Foam Lake, Wadena, and Margo.

I so present.

**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-Morse union hospital 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-Morse union hospital is not closed or further downsized.

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

Mr. Speaker, this petition is signed by individuals from the communities of Chaplin, Swift Current, Herbert, Rush Lake, Morse, and Gouldtown.

I so present.

**The Speaker:** — I recognize the member for Estevan.

**Ms. Eagles:** — Thank you, Mr. Speaker. Mr. Speaker, I stand again today to present a petition on behalf of people from my constituency very concerned about the possible closure or further downsizing of Mainprize Manor & 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 Mainprize Manor & 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 Midale, Estevan, Macoun, and Halbrite.

I so present.

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

**Ms. Bakken:** — Thank you, Mr. Speaker. I rise today to present a petition on behalf of constituents of Weyburn-Big Muddy who are very concerned about the future of their health care centres and services. 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 facilities providing health care services in the constituency of Weyburn-Big Muddy are not closed or further downsized.

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

And this petition is signed by residents of the city of Weyburn.

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 that are extremely concerned about the possible loss of health care facilities in the Wood River constituency. 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 is duty bound, your petitioners will ever pray.

Mr. Speaker, this is signed by the good folks of Lafleche, Woodrow, and Gravelbourg.

I so present.

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

**Mr. Brkich:** — Thank you, Mr. Speaker. I also have a petition here with the people opposed to downsizing or closures to the Davidson, Imperial health centres.

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

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

Signed by the good citizens from the town of Davidson, I so present.

**The Speaker:** — I recognize the member for Biggar.

**Mr. Weekes:** — Thank you, Mr. Speaker. I have a petition from constituents opposed to possible reduction of health care services in Wilkie. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take the necessary steps to ensure that the Wilkie Health Centre and special care home be maintained at the very least at the current level of services.

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

Signed by the good citizens of Wilkie and district, I so present.

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

**Mr. Dearborn:** — Mr. Speaker, I rise today in the Assembly to present a single petition, this one coming from the good folks from west central Saskatchewan concerned with the loss of ambulance services. 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 Dodsland and Luseland ambulance services are not discontinued.

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

Mr. Speaker, this petition is signed by residents of Dodsland, Plenty, Stranraer, and Kelfield.

I so present.

#### READING AND RECEIVING PETITIONS

**Clerk:** — According to order a petition concerning the Foam Lake Health Centre presented on May 14 has been reviewed and pursuant to rule 14(7) is found to be irregular and therefore cannot be read and received.

Other petitions presented as addendums to sessional papers no. 63, 97, 106, 145, 146, 166, 167, and 178 are hereby read and received.

#### NOTICES OF MOTIONS AND QUESTIONS

**The Speaker:** — I recognize the member for Biggar.

**Mr. Weekes:** — Thank you, Mr. Speaker. I give notice I shall on day no. 45 ask the government the following question:

To the SaskTel minister: there's a study underway to move **Max** TV from ADSL capability to VDSL. If so, when will the study be complete? And further to that, how much would the cost involved be for the upgrade?

And while I'm on my feet, Mr. Speaker, I give notice I shall on day no. 45 ask the government the following question:

To the SaskTel minister: what is the cost to SaskTel for each **Max** TV home installation?

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

**Mr. Brkich:** — Thank you, Mr. Speaker. I give notice that I shall on day no. 45 ask the government the following question:

To the Minister Responsible for Investment Saskatchewan: how much money does the government have invested in Heartland Hog Barns?

**The Speaker:** — I recognize the member for Humboldt.

**Ms. Harpauer:** — Thank you, Mr. Speaker. Mr. Speaker, I give notice that I shall on day no. 45 ask the government the following question:

To the minister responsible for Highways and Transportation: what is the total number of kilometres of roadways that your department is responsible for?

And while I'm on my feet, I also give notice that I shall on day no. 45 ask the government the following question:

For the fiscal year 2001-2002, how many kilometres of highways were rebuilt?

And a similar question for 2002-2003, 2003 and 2004. An additional question:

To the minister responsible for Highways and Transportation: for the fiscal year 2001-2002, how many kilometres of highways were repaired and/or resurfaced?

And a similar question for 2002-2003, 2003 and 2004.

And an additional question:

To the minister responsible for Highways and Transportation: for the fiscal year 2004-2005, what is the total number of kilometres of highways expected to be (a) repaired and/or resurfaced; and (b) rebuilt?

#### INTRODUCTION OF GUESTS

**The Speaker:** — I recognize the member for Canora-Pelly.

**Mr. Krawetz:** — Thank you very much, Mr. Speaker. Mr. Speaker, it is a pleasure to introduce constituents from Canora-Pelly, specifically from the community of Preeceville. I'd like to introduce to you and to all members of the House, two people from Preeceville, Stan Szostak and Laverne Babiuk. And I'd ask all members to join with me in welcoming them to their Legislative Assembly.

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

**The Speaker:** — I recognize the member for Regina Lakeview.

**Hon. Mr. Nilson:** — Mr. Speaker, as everybody in Saskatchewan knows, today is Norwegian Constitution Day,

and I have some very special guests in the west gallery who have come from Jar, Norway, just outside of Oslo to visit us today. Rob and Anne Danielsen Wood and their two children Oda, 17, and Henrik who's 14, are accompanied by their grandmother, Elaine Wood.

They live in Norway. They have a strong connection with Saskatchewan. The children are both Saskatchewan people and Norwegian people. I think Oda is a rower on our lake out here. She plays tennis on our tennis courts when she visits her grandmother. Rob in Oslo is the president of the curling club, the home of Paal Trulsen's gold medal Olympic team. So it's . . . They're doing that. I know they're teaching them how to play hockey over there.

Rob met Anne when she was in Regina working at SaskPower on a work study program, and that's many, many years ago. And we're happy to have them here, and I urge all members to welcome them.

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

**The Speaker:** — I recognize the member for Martensville.

**Mr. Heppner:** — Thank you, Mr. Speaker. It's a special privilege for me today to introduce to you and through you to the members of this House, a group of students from Hague High School. There are 50 of them. They are grade 11 and 12 students, and they're in the east gallery. They're accompanied today by Margi Corbett, Scott Richardson as their educators. And chaperons Rhonda Dueck and Larry Fehr and bus driver called Keith.

Hague has a very special place in my heart. Numbers of years ago, I taught there for a short period of time when Margi was there. She's one of the best teachers this province has ever seen. And I hate to say this, but it is the truth, Mr. Speaker. I taught my very first year in the community of Hague, and unfortunately some of these people's students' grandparents may actually have been in that class, and that's a little frightening.

So at this time, would you join with me to welcome a great group of students from Hague, Saskatchewan.

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

**The Speaker:** — I recognize the member for Regina Northeast.

**Mr. Harper:** — Thank you, Mr. Speaker. Mr. Speaker, I'd like to introduce to you and through you to all the members of the House a gentleman sitting up in your gallery, Mr. Speaker, Jon Gillies who's the president-elect of the Association of Professional Engineers and Geoscientists.

Mr. Gillies is here today to take in question period but also to be on hand for the second reading of The Limitations Act. I ask all the members to offer Mr. Gillies a warm welcome.

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

**The Speaker:** — I recognize the member for Saskatoon Nutana.

**Hon. Ms. Atkinson:** — Thank you very much, Mr. Speaker. I want to introduce to you and to all members of the House a guest sitting in your gallery, Dr. John Conway, a retired professor from the University of Saskatchewan who's very, very involved in the city of Saskatoon and the province in a number of professional organizations and community groups. And he continues to take a significant interest in the University of Saskatchewan. Dr. Conway was a candidate for the New Democratic Party in the last provincial election, running in the constituency of Saskatoon Southeast. And he came within a hair's breadth of winning the seat for the NDP (New Democratic Party), but will be back, Mr. Speaker. So I'd ask all members of the legislature to welcome Dr. Conway to the legislature.

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

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

**Mr. Morgan:** — Mr. Speaker, I'd like to join with all members in welcoming Dr. Conway today. It was a very slow hare, but a significant and credible hare nonetheless. Dr. Conway ran a very gracious campaign, and phoned and conceded defeat in a very eloquent and touching manner. And I personally appreciate that, Mr. Speaker, and would like to join with all members in welcoming Dr. Conway.

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

#### STATEMENTS BY MEMBERS

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

#### Emergency Medical Services Week 2004

**Mr. Iwanchuk:** — Mr. Speaker, May 16 to 22 is Emergency Medical Services Week here in Saskatchewan. There are approximately 3,000 emergency medical services practitioners employed across the province, working as dispatchers, technicians, advanced technicians, paramedics, and first responders. Mr. Speaker, it is entirely appropriate that we take this opportunity one week out of the year to recognize and pay tribute to the hard work and commitment of these dedicated individuals, who are here for us when we need them 24 hours a day, 7 days a week, throughout the entire year.

I and my colleague, the Minister of Industry and Resources, had the privilege to attend the kickoff of EMS (emergency medical services) Week 2004 yesterday at a special awards ceremony in Saskatoon where EMS professionals from across Saskatchewan were recognized for exemplary service.

Mr. Speaker, the Lieutenant Governor presented 24 Governor General of Canada Emergency Medical Services Exemplary Service Medals, awarded to individuals who have served at least 20 years in the profession. And 13 others received Stars of Life Awards as selected by the Saskatchewan emergency services association for their outstanding contributions to the EMS community. Mr. Speaker, I ask all my colleagues to join me in congratulating yesterday's recipients and in thanking all the EMS practitioners across the province for the valuable

services they provide to us each and every day.

(13:45)

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

**The Speaker:** — I recognize the member for Batoche.

### Opening of New Personal Care Home

**Mr. Kirsch:** — Thank you, Mr. Speaker. I would like to congratulate the community of Isidore-de-Bellevue on the opening of their new personal care home, Foyer Jesus Marie — an idea that began 35 years ago. The 16-unit complex opened March 31 and is fully occupied except for one unit. Residents come from Bellevue and area as well as Debden and Spiritwood. The first resident was Edgar Topping.

The cost of staying at Foyer Jesus Marie is \$1,200 a month which includes all food, laundry and housekeeping. The personal care home cost approximately 1 million to build, of which 500,000 was raised locally — a very impressive achievement considering that Bellevue has a population of about 200 people. There are 11 trained staff with Aurele Gaudet is the interim administrator. The dietary is supervised Marie Duval and Alice Gareau.

Besides the 16 unit there's a spacious dining room, an activity room, and a chapel. The Saskatchewan Valley Credit Union moved into its branch in the new facility in March. The official opening of the Foyer Jesus Marie is schedule for Friday, June 18.

Congratulations and best wishes again on the opening of your wonderful personal care home.

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

**The Speaker:** — I recognize the member for Regina Lakeview.

### Constitution Day in Norway

**Hon. Mr. Nilson:** — (The hon. member spoke for a time in Norwegian.) This is the national anthem of Norway which is being sung across Saskatchewan and across Canada, but especially in Norway.

And this celebrates the Constitution Day of Norway when they remember the events of 1814.

Here in Saskatchewan there are many people who celebrate this particular event and we're happy to wish them the best. The King and Queen of Norway, King Harald and Queen Sonja, send their best wishes to all Norwegian citizens and people of Norwegian descent in Canada on this special day. And I think we in Saskatchewan send our best wishes to the royal family as they have a new heir, Princess Ingrid Alexandra, who was born this spring.

I always like to commemorate this day here in Saskatchewan because there are so many people who have Norwegian roots. And so with all of those members of the legislature who have Norwegian roots, I bring greetings to all Saskatchewan people.

So the member from Regina Coronation Park, the member from Rosetown Biggar, the member from Saltcoats, the member from Saskatchewan Rivers, the member from Lloydminster, and the member from The Battlefords, we all wish all Saskatchewan people — but especially those of Norwegian descent — happy syttende mai.

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

**The Speaker:** — I recognize the member for Estevan.

### Estevan Royal Purple Celebrates 60th Anniversary

**Ms. Eagles:** — Thank you, Mr. Speaker. Mr. Speaker, last Saturday evening, I had the privilege of attending the 60th anniversary of the Estevan Royal Purple Lodge #74.

After a delicious roast beef dinner, the very capable master of ceremonies, Garry Dinsmore, introduced as guest speaker charter member, Rose Nicholson, who give a history of the Estevan chapter, including reminiscing on how during the 1940s tables for banquets were sawhorses with planks on top. And they certainly have progressed from that, Mr. Speaker. I might add that Rose is 90 years old and travelled from BC (British Columbia) to attend the celebrations.

The Royal Purple donates to many worthwhile causes in the community including donations of wheelchairs, etc. This is made possible by the many functions at which they cater and other fundraising efforts.

Mr. Speaker, I would like to thank Christa Bussian for my invitation and I ask all members to join me in wishing the Estevan Royal Purple Lodge #74 continued success. Thank you.

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

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

### Saskatchewan Native Theatre Company

**Hon. Mr. Forbes:** — Mr. Speaker, the Saskatchewan Native Theatre Company located in my constituency of Saskatoon Centre is a unique cultural organization that creates, develops and performs the works of Aboriginal artists from across Canada.

Currently the SNTC (Saskatchewan Native Theatre Company) is staging a play called *400 Kilometres* by award-winning playwright, Drew Hayden Taylor. This play is the third in the trilogy by Mr. Taylor and follows the journey of a 37-year-old lawyer and Aboriginal adoptee searching for her identity.

Mr. Speaker, this play delves deep into the issue of Aboriginal adoption by non-Aboriginal families during the 1960s on Turtle Island in Ontario. The difference between the two cultures is evident in the performance. And while some of the characters appear accepting of the Aboriginal culture on the surface, they're ignorance becomes exposed when they face it head on.

This play is now showing at SNTC Black Box Theatre in Saskatoon and runs until May 22.

Other upcoming events and performances scheduled at the Black Box Theatre includes an Aboriginal Performing Arts Symposium from May 27th to 29th and a one-person play, *Tales of an Urban Indian*, from June 8th to June 12th.

Mr. Speaker, I'm sure my colleagues will join me in commending the SNTC, the actors, writers, and all those involved for striving to entertain and educate people while promoting the positive images of Aboriginal artists. This creates cultural understandings and strengthens the spirit of our community.

Mr. Speaker, I had the pleasure of seeing this play on Friday and I urge everyone to attend the performance. I would wish the SNTC luck with their present and future performances. Thank you.

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

**The Speaker:** — I recognize the member for Martensville.

### High-Speed Internet Access in Rural Saskatchewan

**Mr. Heppner:** — Thank you, Mr. Speaker. Mr. Speaker, communications have come a long way over the last few years. Few of us send letters by mail in these days. Even a Luddite like myself can from time to time retrieve a missive from the computer.

However, Mr. Speaker, I came across a page from *SaskTel News*, May, 2004, and I'd like to read just a little bit from that. And they're talking about the high-speed Internet and *Max* service and those sorts of things. And then it says:

This means that Saskatchewan people in every community with at least 800 people, and many even smaller, (may) now have access to high speed internet.

Well, Mr. Speaker, not true, not true. In the communities Waldheim, Osler, and Hague, no high-speed Internet, Mr. Speaker. Those are communities, Mr. Speaker, that have a number of multi-million dollar businesses in each community working on not just a provincial basis but an interprovincial and a national scope. It's unfortunate, Mr. Speaker, that those communities can't have that access.

The NDP may have driven most communities in rural Saskatchewan to a population of under 800; they won't do that with the communities of Waldheim, Osler, and Hague. We just need high-speed Internet. Thank you.

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

**The Speaker:** — I recognize the member for Regina Qu'Appelle Valley.

### Award-Winning Beer

**Hon. Mr. Wartman:** — Thank you, Mr. Speaker. From the negative to the positive — in keeping with our province's reputation for excellence, in this case brewing excellence, another Saskatchewan beer has been recognized on the national level.

Kelly Deis from the constituency of Regina Dewdney was recognized at the Homebrew Open, an event that was hosted by the Ale & Lager Enthusiasts of Saskatchewan club, and sponsored by Bushwakker's. Mr. Deis won a gold medal in the Best of Show category with his Rauchbier or smoked beer.

I was privileged to attend this event and present the Silver award. There were many wonderful foods and sauces prepared with beer by the Bushwakker kitchen.

Mr. Speaker, this year's Ale & Lager Enthusiasts Home Brew Open was the largest beer competition in Canadian history with 615 entries and a total of 98 awards up for grabs. The Ale & Lager Enthusiasts, or ALES competition, is recognized as a senior Canadian competition for amateur brewed beers by the American Homebrewers Association in Denver.

Mr. Deis was not the only Regina brewer recognized. Members of the ALES Club took home a combined 50 medals, giving the hometown club the award for homebrew club of the year. Mr. Deis was not only recognized for his excellence with this particular beer, but won 16 additional medals, and was named Homebrewer of the Year. Mr. Deis will now have the opportunity to brew his beer with Bushwakker's head brewer, David Rudge, for release to the public this fall.

Mr. Speaker, I ask all my colleagues to join me in congratulating Kelly Deis and the ALES Club for once again showing the world that nobody makes beer better than the people of Saskatchewan. Thank you, Mr. Speaker.

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

### ORAL QUESTIONS

**The Speaker:** — I recognize the Leader of the Opposition.

### Waiting Times for Treatment of Cancer

**Mr. Wall:** — Thank you, Mr. Speaker. In March the Health minister unveiled target time frames for surgery. According to the news release sent out that day, and I quote, "The first key area will be cancer surgeries." The quote goes on to say, "... the goal will be to complete 95 per cent of cancer surgeries within three weeks."

Mr. Speaker, Stan Szostak of Preeceville has prostate cancer. He had a biopsy about a month ago, and a few days later cancer was confirmed. Stan has been told he must wait three to four months for surgery.

Obviously upset at the news, Stan contacted his quality care coordinator. And, Mr. Speaker, what he was told is that he may consider himself fortunate because others are waiting much longer than that.

Mr. Speaker, to the Minister of Health: if the optimum treatment time for cancer is three weeks, why is Mr. Szostak and others — according to that quality care coordinator — waiting months for prostate cancer surgery?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Nilson:** — Thank you, Mr. Speaker. As always, I'm very concerned about individuals who are concerned about their health care and the treatment that they're getting. I know that they will work with the professionals to get the advice as to how to complete the various procedures or other things that they need.

As it relates to the target time frames that we have in Saskatchewan, we've set those target time frames out, and it is our goal — as the member opposite has identified — to have cancer surgeries done within a three-week period. That's not something that we're able to do immediately.

As the member also knows, in the budget speech and in the budget information that was provided on March 31, we have set aside specific dollars to deal with some of the backlogs and try to actually specifically deal with these surgeries that need to be done within the three-week period. We're working with all the professionals as we do that.

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

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Wall:** — Well, Mr. Speaker, that is similar to what the minister told this Assembly over a month ago, that the optimum treatment time for cancer is less than three weeks. He said, and this was a quote:

... I am led to understand that we are very close to meeting that in a (high) very high percentage of ... cases.

But, Mr. Speaker, it's one thing to say that the optimum treatment time for cancer surgery is three weeks and to set your goal by that. There's a difference between that and making sure that it is happening as quickly as possible, Mr. Speaker, as we would ask in the case of Mr. Szostak.

There is an out-of-province referral system in terms of treatment. Mr. Speaker, we've asked this question before. Since that process is in place, will the minister commit today to Mr. Szostak and others like him who need treatment immediately, that that out-of-province referral system will be reviewed so that it is working in the interests of patients who need treatment?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Nilson:** — Mr. Speaker, I'm sure that the person of concern is working with his medical professionals and with the staff within the facilities to get the treatment that's needed. I know that there are processes around assessing the needs that are there, and we need to rely on the professionals to work on this. If there are problems with the overall system, then I'm happy to look at that.

But, Mr. Speaker, what I can do is ask some questions. But I'm fairly certain that the people who are involved are working diligently to sort out the issues here.

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

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Wall:** — Well, Mr. Speaker, we would encourage the minister to ask some questions, and ask tough questions, so that people like Mr. Szostak can get treatment. Three to four months isn't acceptable; we're talking about prostate cancer, Mr. Speaker.

I'm certain that the Health minister is familiar with the Surgical Care Network Web site. He should be aware that the Web site states, and I quote, "Cancer surgeries are classified as urgent." It's very difficult though, Mr. Speaker, to find information about wait times for prostate cancer surgery on the site. You can find target time frames for cancer surgeries of 95 per cent of the cases within three weeks, as we've talked about earlier.

Stan Szostak doesn't even have a date for surgery yet. And even if he did he wouldn't be able to track it on his Web site. So there is another specific question to the minister. How is the government's Surgical Care Network and the attendant Web site helping people like Stan Szostak?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Nilson:** — Mr. Speaker, the whole issue of how we deal with wait lists and allocating resources to make sure that we get all of the people dealt with in the target time frames is very complex. We're working with the doctors, we're working with the hospital administrators, we're working with the regional health authorities to make sure this whole system works.

But what we need also is for information and to work with individual patients. So I will raise the question of Mr. Szostak and make sure that he is getting the appropriate contacts with people involved in the overall system.

But our goal, Mr. Speaker, with our wait list project is to make sure that we have public information about how all of this works so that we can explain to people and have them understand when some of the times that are in the system are appropriate or not.

(14:00)

**The Speaker:** — I recognize the Leader of the Opposition.

**Mr. Wall:** — Thank you, Mr. Speaker. I appreciate the minister's indication that he will look into Mr. Szostak's case but I guess there's an additional question. The minister talks about waiting lists and different systems that the government's implementing to monitor the waiting lists and for people to track the waiting lists. We need to do something to shorten the waiting lists.

One alternative for people is potentially out-of-province treatment. If the resources aren't available here in a timely way, then that's why the out-of-province referral system is there. But it honestly doesn't seem to be working. There's some confusion as to who makes the referrals, whether it is the specialist, whether it's a GP (general practitioner). There's a solution here potentially. You know the cancer society called for a cancer ombudsman; the Saskatchewan Party has offered a health care ombudsman — some independent arbiter that could get involved in situations specific to this, that could get people



treatment, that could ensure that where referrals are needed for treatment, like for people like Mr. Szostak, that the process works in their favour.

What is the minister going to do to review the out-of-province referral system in the province of Saskatchewan?

**The Speaker:** — I recognize the Minister of Health.

**Hon. Mr. Nilson:** — Mr. Speaker, our health system in Saskatchewan and in Canada for many, many years has had strong advocates in the system for patients. They're called your family doctor or your general practitioner, and much of the work that they do is explaining to you what the process is, working with you if you need a specialist or surgeon, and also giving you some information about how all this works.

What we've been doing with our wait list project — and other jurisdictions are very interested in this as well — is trying to provide more information to individuals so that they can work with their family doctors as they move forward with various procedures that they require.

What we all need in our country, I think, is further resources. I've been working on that. I know that we'll all be working together as this election comes forward to make sure that the issue of resources for health is a top priority.

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

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

#### **Saskatchewan Potato Utility Development Company Litigation**

**Mr. Morgan:** — Mr. Speaker, my question is for the minister responsible for the Crown Investments Corporation. The NDP's bankrupt SPUDCO (Saskatchewan Potato Utility Development Company) potato business has already lost Saskatchewan taxpayers \$28 million, and now the NDP is also being sued for tens of millions of dollars more by investors and local business owners who also got burned for millions of dollars when SPUDCO collapsed. Now the government's lawyer, Fred Zinkhan, is countersuing those same investors and local business owners for \$10 million.

Mr. Speaker, who authorized the NDP's lawyers to launch the counterclaim in the SPUDCO case?

**The Speaker:** — I recognize the Minister for Sask Water.

**Hon. Mr. Prebble:** — Thank you very much, Mr. Speaker. Mr. Speaker, I want to thank the hon. member for the question. I think this is an important issue.

Let me first say to the hon. member that while initially \$28 million was lost, there have been, Mr. Speaker, some revenues that have come from the sale of storage sheds. I think those will be in the range of approximately \$5 million. So I first want to inform the hon. member that while there are still significant losses, they have been reduced to now \$23 million, Mr. Speaker.

Secondly . . . (inaudible interjection) . . . Well, Mr. Speaker, they say, oh, oh. Well listen, \$5 million is significant. So let's wait and see.

Secondly, secondly, Mr. Speaker, I just want to point out to the hon. member that there are significant revenues that will accrue to the province from the expansion of the potato industry in the Lake Diefenbaker area. And he should take account of this as well, Mr. Speaker.

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

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

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

**Mr. Morgan:** — Mr. Speaker, my question was not about what the potential benefits might be, but specifically who authorized the counterclaim in the SPUDCO case. Was it recommended by Crown Management Board, and was it authorized or approved by cabinet, Mr. Speaker?

**The Speaker:** — I recognize the Minister for Sask Water.

**Hon. Mr. Prebble:** — Thank you very much, Mr. Speaker. I want to assure the hon. member that there was authorization by a member of cabinet for the launching of the suit, if that's what his concern is.

Now, Mr. Speaker, I also want to assure the hon. member that obviously we . . . there has been a significant process of discovery involved here. There have been more than 2,700 documents now filed. And, Mr. Speaker, not only does the government believe that there is a sound basis for a defence of this case, but there has been enough information that's come to light that we feel there's a sound basis for a counterclaim.

If the hon. member is asking, are we certain of winning the claim, well of course there's uncertainty, Mr. Speaker. But we feel the appropriate forum for settling this dispute is in the courts. And that's all I'll have to say with respect to the court process. Thank you, Mr. Speaker.

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

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

**Mr. Morgan:** — Mr. Speaker, my questions still have not been answered. Which members of cabinet specifically approved this transaction and, Mr. Speaker, what is the potential financial exposure to taxpayers in the event that the NDP's counterclaim in the SPUDCO case fails?

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

**The Speaker:** — I recognize the Minister Responsible for Sask Water.

**Hon. Mr. Prebble:** — Well thank you very much, Mr. Speaker. Again I would say to the hon. member, obviously there will be additional legal costs that will be associated with the filing of

this counterclaim. But the actors for the most part in this dispute, Mr. Speaker, remain the same so I don't expect those additional legal costs to be substantial, Mr. Speaker.

On the other hand I think it's important that the courts hear the basis of the information for the counterclaim, Mr. Speaker. We believe there is substantive information for the courts to hear, and the courts will be the appropriate forum for the resolution of this dispute. Thank you, Mr. Speaker.

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

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

**Mr. Morgan:** — Mr. Speaker, the minister has indicated that the province has sold some equipment for \$5 million. How much of that has actually been received? And, Mr. Speaker, how much has the NDP set aside in the contingency fund to pay the multi-million dollar costs that would be associated with losing either the NDP's counterclaim or the main SPUDCO lawsuit itself, or both? And is there any insurance available that will pay for any of this, Mr. Speaker?

**The Speaker:** — I recognize the Minister Responsible for Sask Water.

**Hon. Mr. Prebble:** — Thank you very much, Mr. Speaker. Well, Mr. Speaker, with respect to the precise amount that's been received, I'll take notice and get back to the member on that.

But implicit in the member's question, Mr. Speaker, is somehow the notion that the Government of Saskatchewan ought not to have filed this counterclaim. And I'd be interested in hearing the basis of the member's assessment of that, Mr. Speaker, because we feel there is important information for the courts to hear on this matter, Mr. Speaker.

And if the member is somehow implying that the counterclaim is inappropriate, let him say that, Mr. Speaker, because our view of this side of the House, Mr. Speaker, is that the information in the counterclaim is in the interest of the people of Saskatchewan and is a matter that the courts deserve to hear. And the courts are the appropriate mechanism for examining this matter, Mr. Speaker, not here on the floor of the Assembly.

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

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

**Mr. Morgan:** — Mr. Speaker, the issue is not what is the counterclaim. The issue is whether we should've been involved in SPUDCO in the first place.

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

**Mr. Morgan:** — Mr. Speaker, how much money has the NDP government paid so far to the NDP's law firm of Olive Waller Zinkhan & Waller to cover legal costs related to this SPUDCO lawsuit?

**The Speaker:** — I recognize the minister for Sask Water.

**Hon. Mr. Prebble:** — Well thank you very much, Mr. Speaker. Mr. Speaker, I just want to say that it's very clear — and it's a matter of real clarity that the Privacy Commissioner has ruled on — that the exact amount of money that is spent on a particular lawsuit is a matter of client confidentiality. And the rulings on this are clear, and the member opposite knows that.

On the other hand, the member asks how much has the Olive Waller law firm received. And I think if he looks at last year's report that's been filed by Sask Water in terms of amounts in excess of \$10,000 that have been received by law firms, Olive Waller has received 349,000.

I want to emphasize that's not all for this case. But obviously, Mr. Speaker, this case is a very significant element in that figure. And that's the information that I'm pleased to provide to the member. Thank you, Mr. Speaker.

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

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

#### **Role of Crown Management Board President**

**Mr. Morgan:** — Mr. Speaker, the NDP's lawyer in the SPUDCO trial is Fred Zinkhan of Olive Waller Zinkhan & Waller. One of the founding partners of that firm, Tom Waller, is now the NDP's hand-picked president of the Crown Management Board. What involvement did Tom Waller have in authorizing this counterclaim in the SPUDCO case, Mr. Speaker?

**The Speaker:** — I recognize the minister responsible for the Crown Management Board.

**Hon. Ms. Atkinson:** — Mr. Speaker, I can say absolutely none.

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

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

**Mr. Morgan:** — Mr. Speaker, this lawyer is still on the Crown Management Board. And, Mr. Speaker, my question to the minister is: does Mr. Waller still have financial ties or a legal role or partnership responsibilities in the law firm of Olive Waller Zinkhan & Waller? Or is he now paid full-time by the province of Saskatchewan?

**The Speaker:** — I recognize the minister responsible for the Crown Management Board.

**Hon. Ms. Atkinson:** — Thank you very much, Mr. Speaker. We have put a significant amount of effort into ensuring that Mr. Waller is safeguarded from these kinds of suggestions by members of the opposition. What I can tell the public is that Mr. Waller is a full-time president and CEO (chief executive officer) of Crown Management Board, and has been since March of this year.

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

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

**Mr. Morgan:** — Mr. Speaker, does the minister think it's appropriate for Mr. Waller to be . . . continue to be involved in government decisions and continue to be involved in that law firm when hundreds of thousands of dollars of legal fees are being paid to that law firm?

**The Speaker:** — I recognize the minister responsible for the Crown Management Board.

**Hon. Ms. Atkinson:** — What I can tell the member is that Tom Waller is not involved in the law firm, that we have put a significant amount of time and effort into ensuring that Mr. Waller is not the subject of these kinds of suggestions, Mr. Speaker.

What I can say to the member opposite is that Mr. Waller has no financial interest in the firm in that he is not able, as a result of the work that was done, to basically put a fireguard between himself and his law firm in any of the revenues that might go to the firm resulting from this kind of work.

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

**The Speaker:** — I recognize the member for Batoche.

#### St. Brieux Policing Costs

**Mr. Kirsch:** — Thank you, Mr. Speaker. My question is for the Minister of Justice. Last week I got a letter from the mayor of St. Brieux. The letter had some good news, Mr. Speaker, but the letter also had some bad news.

The good news is that, in spite of the NDP's attack on rural Saskatchewan, the village of St. Brieux grew by seven people last year. The bad news is the NDP government is celebrating St. Brieux's growing population by doubling the village's policing bill.

Mr. Speaker, it's tough enough in rural Saskatchewan already. Does the minister think it is fair for his NDP government to double St. Brieux's policing bill just because the village grew by seven people?

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, in the year 2003-2004, the province spent more than \$91 million for support policing in Saskatchewan, of which it recovered \$13 million from municipalities.

There has been concern over the years that urban municipalities were paying too much of this amount that's recovered and we have been working to close the gap between what is paid on a per capita basis between rural municipalities and urban municipalities. But it is still on a per capita basis.

So the good news in St. Brieux is that their population is growing, but so is the cost of services to people in that

community.

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

**The Speaker:** — I recognize the member for Batoche.

**Mr. Kirsch:** — Mr. Speaker, thanks to the NDP government, the future is not so wide open for the village of St. Brieux. While most communities would be celebrating the arrival of new residents, the village of St. Brieux is wondering whether to ask some of its new residents to leave.

According to the mayor of St. Brieux the village paid \$9,920 for RCMP (Royal Canadian Mounted Police) service last year. Then the village grew by seven people. So this year the NDP sent St. Brieux a policing bill of a whopping \$22,750, an increase in policing cost of 129 per cent.

Mr. Speaker, unless one of those new residents is Jack the Ripper, I don't think the policing requirement is going to double this year in St. Brieux. So why does the NDP think it's fair or necessary to more than double St. Brieux's policing bill?

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

(14:15)

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I'm quite willing to look at the individual situation in the community of St. Brieux. This has just been raised with me for the first time today. I can advise the member and the House and the people of Saskatchewan that the assessment, in trying to make the payment for policing costs fair across the province, has to be adjusted among communities. There are rural communities that are . . . small urban communities, communities that have detachments, that all these factors make a difference whether they're over 500 people or below 500 people.

And I admit that some of these cut-offs can seem arbitrary but they have to be cut off somewhere, Mr. Speaker. But I'm willing to look at the situation of course in St. Brieux, because that is a dramatic increase the member has drawn to my attention.

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

**The Speaker:** — I recognize the member for Canora-Pelly.

#### Funding for Wide Open Future Campaign

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, recently the NDP introduced legislation, specifically Bill No. 35, to clarify — and that's in their words — the Crown corporations' legal authority to spend money on the Future is Wide Open campaign.

The NDP has already used the Crowns to pay for \$2.2 million worth of the Future's Wide Open campaign. Now we find out this spending may not have been legal, and the NDP is now moving to try to make it legal after the fact, Mr. Speaker. The minister claims to have a legal opinion saying this spending was

legal, but she refuses to release it.

Mr. Speaker, will the minister please tell the House who prepared this legal opinion and what exactly does it say about whether the Crowns had the legal authority to spend the money?

**The Speaker:** — I recognize the minister responsible for the Crown Management Board.

**Hon. Ms. Atkinson:** — Mr. Speaker, if I understand the comments that come from the Provincial Auditor on an annual basis, when the Provincial Auditor believes that a certain department or agency did not have the authority to spend money, they indicate so in their report.

Mr. Speaker, I am advised that in the report that the Provincial Auditor will table with the legislature that the Provincial Auditor indicates that the mandate has to be clarified. My understanding is that the Provincial Auditor does not say and use the words, did not have the authority. What the Provincial Auditor recommends to the government is that we clarify the legislation and, Mr. Speaker, that's what we're doing.

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

**The Speaker:** — I recognize the member for Canora-Pelly.

**Mr. Krawetz:** — Mr. Speaker, for a government that says often that they have nothing to hide, they sure seem to spend a lot of time hiding stuff. Mr. Speaker, prior to the election the NDP secretly used the Crowns to pay for \$2.2 million worth of the wide open campaign. We just want to find out if this spending was legal or not.

The minister claims to have a legal opinion that says it was legal and she doesn't want to release it. Why not? What is the minister hiding? She stated on Friday that she would not release that legal opinion. I ask her to table the correspondence from the legal firm that says that they have a legal opinion, and secondly, any correspondence that her department may have received from the Provincial Auditor regarding this situation. Will she please table those documents in the Assembly today?

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

**The Speaker:** — I recognize the minister responsible for the Crown Management Board.

**Hon. Ms. Atkinson:** — Mr. Speaker, we're so secretive that they, the opposition, was able to get this information in the explanatory notes attached to the Bill. I hardly call that secretive, Mr. Speaker. That's a big secret, Mr. Speaker. It's so secret, Mr. Speaker, that we tabled the explanatory notes in the legislature. Now come on.

What I can tell the members, Mr. Speaker, is that governments do not table legal opinions that they receive from the Department of Justice and elsewhere, Mr. Speaker. That is how government functions. But I can tell the member is that we believe, we believe, Mr. Speaker, that we had authority . . .

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

member may continue.

**Hon. Ms. Atkinson:** — Thank you, Mr. Speaker. Well I know the opposition can brouhaha all they want, but that's how governments tend to function across the country — something they know nothing about, Mr. Speaker.

Now, Mr. Speaker, what I have indicated is that we will amend the legislation in order to clarify the recommendations given by the Provincial Auditor.

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

## INTRODUCTION OF BILLS

### Bill No. 56 — The Public Health Amendment Act, 2004

**The Speaker:** — Order please, members. I recognize the Minister of Health.

**Hon. Mr. Nilson:** — Mr. Speaker, I move that Bill No. 56, The Public Health Amendment Act, 2004 be now introduced and read the first time.

**The Speaker:** — It has been moved by the Minister of Health that Bill No. 56, The Public Health Amendment Act, 2004 be now introduced and read for the first time. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — First reading of this Bill.

**The Speaker:** — When shall the Bill be read a second time?

**Hon. Mr. Nilson:** — Next sitting, Mr. Speaker.

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

## TABLING OF REPORTS

**The Speaker:** — Members, before orders of the day, I would like to table the annual report from the Saskatchewan Legislative Library for the period ending March 31, 2003.

## STATEMENT BY THE SPEAKER

### Comments Made During Debate

**The Speaker:** — I would also at this time like to refer members to a debate in *Hansard* on page 1109 — order, please — middle of the left-hand column, the debate between the Minister of Learning and the member for Indian Head-Milestone. The subject of the debate was the proposed number of school divisions.

During that debate, the member for Indian Head-Milestone implied wrongdoing on the part of the government. I want to say that it is . . . Order, please. Order, please. Order, please. I

want to say that it's unparliamentary to allege that a government is dishonest and it is unparliamentary to allege the opposition is dishonest. Such remarks damage the process of debate.

The statement made by the member for Indian Head-Milestone is out of order. I urge him and all members to be very careful when phrasing their statements in debate.

Order, order. Order.

## 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 and table responses to written questions no. 313 and 314.

**The Speaker:** — Responses to 313 and 314 have been submitted.

## GOVERNMENT ORDERS

### SECOND READINGS

#### Bill No. 51 — The Limitations Act

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I rise today to move second reading of The Limitations Act.

Mr. Speaker, limitations law is the area of law applicable to civil proceedings. Limitation statute provides rules respecting the time available for a person to bring a legal claim against another person. If a civil proceeding is not commenced within the applicable limitation period and if the limitation period is successfully raised as a defence by the defendant, the action cannot proceed.

Limitations of actions statutes recognize the legal system cannot allow a person who's aware of a legal claim to do nothing for many years and then bring an action after the defendant may no longer be in a position to make a defence. For this reason, limitation periods have been a feature of our legal system since the first English limitation enacted in 1623.

Our courts have recognized that statutes of limitations are created with four objectives in mind: to create a defined time as to when potential defendants may be free of ancient obligations; to prompt claimants to proceed before evidence is lost due to the passage of time; to encourage the plaintiff to act in a timely fashion; and to account for the claimant's own circumstances when assessing whether a claim should be barred by the passage of time.

Limitation of actions legislation attempts to balance the interests of the plaintiff with those of the defendant. Society is interested in providing a fair and orderly process to obtain a remedy for injuries suffered by the claimant. The defendant,

however, is interested in being able to mount a reasonable defence to any claim made. Limitation periods are intended to ensure that defendants have a fair opportunity to contest claims. They are not intended to enable defendants to simply avoid liability.

Our current statute, The Limitation of Actions Act, dates from 1931 and evolved in a time when the problems encountered by the judicial system were often considerably different from those of today. It is largely a collection of individual provisions from English statutes enacted between 1623 and the late 1800s, combined with some new initiatives. Its complicated structure, often archaic wording and, in many cases, irrelevant provisions, are in need of reform.

One of the main problems to the current limitation of actions laws in Saskatchewan is that they are very complex. Ideally, a limitations statute should include as few limitation periods as possible. This contributes to clarity and predictability for the parties.

Our current limitations statute includes several limitation periods. For some actions different limitation periods can be available for the same injury depending upon whether it's framed in contract, which means a six-year limitation period applies, or tort so that a two-year period applies.

In addition, there are more than 100 limitation periods in other provincial statutes. As a result the applicable limitation period is frequently not clear at the commencement of an action. It is difficult to understand or rationalize why different limitation periods should apply to different actions and especially to the same action. It is unclear in some cases as to when the period starts to run.

The discoverability principle applies to some cases but not to others. This principle is a court-made rule respecting application of limitation periods. This discoverability principle provides that discovery of the damage by the claimant should start time running for statutory limitation periods. Whether the period starts to run from the event that gave rise to the action, or from when the plaintiff knew or should have known that he or she has a claim against the defendant, can dramatically affect the rights of the plaintiff to bring an action and exposure to liability of the defendant.

The combination of an archaic statute, numerous limitation periods in other statutes, and uncertainty about when discoverability applies results in confusion and lack of predictability in many cases. The need to be fundamentally . . . reform limitations law is generally acknowledged. Within the last 30 years a number of Canadian law reform commissions have recommended reform of limitations law and some provinces have passed legislation to introduce reforms.

Mr. Speaker, the proposed Limitations Act replaces the existing Limitation of Actions Act, the new Act that clarifies and rationalizes limitation periods for legal actions. This legislation replaces the current categorization of legal claims and accompanying myriad of limitation periods with a totally different model.

For most actions a two-year limitation period will apply to all

actions. That two-year period will start to run when the claimant first knew or ought to have known that injury had occurred, that the injury was attributable to the defendant's conduct, and that the injury warranted bringing a proceeding. Thus the discoverability principle was built into the basic limitation period.

The Act also provides for an ultimate limitation period barring all actions after 15 years from the act or omission that gave rise to the legal claim. This ultimate period prevents an action being brought many years after the conduct due to the discoverability principle.

The ultimate limitation period responds to the concern that the discoverability principle allows a situation where a defendant can be sued for an act or omission that occurred many years or decades earlier. In some cases it results in no real limitation period with the result that some of the objectives of the limitation statutes are not met. The potential defence may never be free of ancient obligations, evidence is lost to the passage of time, and plaintiffs do not have to act in a timely fashion. The discoverability principle recognizes the plaintiff's interest in gathering the information necessary to start a claim, and the ultimate limitation period recognizes the defendant's need to mount a defence.

In addition to these basic limitation periods the Act continues to recognize that there are special circumstances that modify the operation of the basic limitation period. In many cases these provisions apply to the circumstances of vulnerable persons. For example, Saskatchewan's current provision postponing the running of limitation period for minors, or for mentally disabled persons who are not represented by a personal or property guardian, is retained.

The discovery period is designed to give a claimant sufficient opportunity after discovery to conduct further investigations to attempt to negotiate a settlement, and to bring a proceeding if necessary. It is based on the assumption that a person who obtains the requisite knowledge has the ability to make reasonable judgments and decisions relating to a claim.

This assumption does not fit a minor or an adult under disability, who is considered, for the purposes of limitation period rules, as unable to make reasonable judgments in respective manners relating to a claim.

The Act also recognizes that where a defendant fraudulently conceals the fact that injury occurred, this should suspend the running of limitation periods. A defendant who fraudulently conceals the fact that an injury has occurred should not be rewarded by being able to rely on the limitation period. The Act will continue to provide that acknowledgement or part payment of a debt means the period runs from that acknowledgement or part payment. A provision in the Act replaces, clarifies, updates, and simplifies the doctrines of acknowledgment in part payments. The basic rules of law governing these doctrines of judicial origin are included in our current limitation statute.

(14:30)

Currently at least six different sections include rules for part payment and acknowledgement respecting different types of

claims. These are replaced and updated in the Act.

A provision in this Act will allow parties to contractually extend the limitation period. Potential parties to an action may make an agreement extending an applicable limitation period for the benefit of the potential claimant and defendant. An agreement extending limitation period may be made before or after an alleged breach of duty has occurred. This can relieve the claimant with the necessity of bringing an action that may prove to be unnecessary. This gives the parties more time for settlement negotiations. If the defendant is granted additional time to perform his or her obligations, litigation expenses can be postponed or avoided.

Proceedings to enforce court orders and arbitration awards are excluded because the considerations that underlie the need for limitation periods no longer apply — the evidentiary matters and the defence liability have been determined.

The Act maintains the current rule that there is no limitation period applicable for proceedings arising from sexual assault or for other assaults where the plaintiff and defendant were living in an intimate relationship or the parties were in a dependent relationship. Again this recognizes that vulnerable persons should not be placed at disadvantage in pursuing their claims; indeed instead their special circumstances should be recognized.

This Act does not affect a provision in another Act that provides for extension, suspension, or variation of the limitation period. Such provisions in other Acts have been established to provide flexibility where this is fair or necessary, and these should be retained.

The Act preserves provisions in other Acts that have certain requirements to be met before a plaintiff can start an action. For instance, they may have to provide information, or attempts to mediate or settle may be required. These provisions will not be affected by this Act.

Many Acts require plaintiffs to give notice to the defendant respecting damages. For example, municipal Acts and the highways legislation require notice where a person is making claim when based upon default of duty to repair a street or highway. Insurance legislation requires notice that . . . notice of damages.

These notice periods can be fairly short ranging from three days for hail insurance to sixty days for flooding in rural municipalities. In the case of notice periods and municipal legislation, where the claim results from default in duty to repair a street, the court is given discretion to extend the notice period where there is a reasonable explanation for the delay and there is no prejudice to the defendant if the period is extended.

Mr. Speaker, the Bill before us today increases the consistency to these notice provisions. Limitation periods in municipal legislation are retained pending a review of the overall liability position of municipalities. However notice periods relating to claims resulting from default in the duty to repair a street in municipal and highway statutes are harmonized, so that they are 30 days in every case. In addition, a new provision extends the judicial discretion in all notice periods in all statutes. This

ensures that legitimate claims are not barred just because a notice period was missed. This may occur even in cases where the plaintiff had good reasons for missing the periods. In these cases, the plaintiff may apply to the court for an extension.

Many Saskatchewan statutes have special limitation periods. To the extent these can be repealed, the consequential amendments provide for repeal. In other cases, provisions are amended to make them more consistent with the Act. This approach to harmonizing this area of law will result in limitation periods in 65 other statutes being repealed or amended. Limitation periods in professional statutes are being repealed. Currently, these vary from as short as six months to as long as discovery plus six years. There are no good reasons for these variations between different professions. Standardizing these periods means that clear and fair rules will apply to all professionals.

The limitation periods in insurance legislation are repealed. This standardizes limitation periods in this area where currently a one-year period applied in some cases and a two-year period applies in other cases. Also repealed are limitation periods in corporate legislation, which are already two years. The limitation periods in The Queen's Bench Act, 1998 and The Small Claims Act providing for extending the limitation periods for motor vehicle accidents are repealed. The discoverability principle addresses the issues that those provisions addressed. The Public Officers' Protection Act is repealed. The sole purpose of this Act is to establish a limitation period for actions against public officials. The limitation periods in the new Act will apply to public officials. These repeals, together with some others, will clarify and harmonize limitation periods.

Some limitation periods will not change. Limitation periods in some statutes that provide complete codes respecting certain areas are retained. For example, the limitation periods in The Securities Act, 1988 and The Builders' Lien Act are not being changed. Limitation periods relating to collection of royalties and taxes by government and municipalities are retained. If these periods are changed, it would impede the collection of revenues and paid amounts would end up being paid by other taxpayers. There are good public policy reasons for not changing these periods.

The limitation period of discovery plus six years in The Environmental Management and Protection Act is retained. This is an appropriate period given the serious long-term consequences of this activity, and the fact that the activity and consequences might only be discovered years or decades later. Several statutes are amended to remove the limitation period but retain the provision to the extent that it sets out the event that starts the running of the limitation period, or creates a cause of action.

This legislation results from a significant amount of consultation over the course of several years. In 2000, a discussion paper was broadly circulated to interested organizations and individuals. The many responses to that paper provided assistance and guidance in the preparation of a draft Bill, which was circulated in January of this year. Government officials have met with numerous organizations and individuals over the course of the last four years. The proposed legislation is the result of time, advice, and expertise shared by many of the consultees.

The consultees confirmed our view that more clear, fair, and predictable roles are required in this area of the law, which is currently very confusing. This is achieved by the proposed legislation which provides fewer limitation periods and fewer exceptions. It rationalizes the law and creates a situation where consistent and clear principles apply to all actions, all plaintiffs, and all defendants. This legislation makes the legal picture more fair, more accessible, and more understandable.

Mr. Speaker, I am very pleased to move second reading of an Act respecting the limitations of actions Act.

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

**The Deputy Speaker:** — It has been moved by the minister that Bill No. 51, The Limitations Act be now read a second time.

I recognize the member for Melfort.

**Mr. Gantefer:** — Thank you, Mr. Speaker. It's a privilege this afternoon to rise and respond briefly to the minister's statement in regards to the Act respecting limitation periods. Mr. Deputy Speaker, as I listened to the minister's detailed and very complete explanation, as a layperson I was moved to think that the one limitation that has been overlooked is the length of minister's statement when the Bills are introduced.

However I understand that this is a very complex and complete Bill that updates legislation that basically was on the books for a good number of years, and that there is a need, as indicated by the minister, that there have been recommendations from the courts and other jurisdictions that reform to the limitations legislation is very much needed.

I understand, Mr. Deputy Speaker, that this is really to try to establish reasonable time frames whereby plaintiffs may commence an action, and in no way tries to preclude the opportunity from defendants to have a fair opportunity to contest claims.

Mr. Deputy Speaker, I think it's fair to say that we as a society must ensure that there is a fair and orderly process in place to allow remedies for injuries and harm suffered by claimants. We also as a society I think have an obligation to ensure that there's a similar process in place whereby a defendant can mount a reasonable defence to any claim that is made within a reasonable length of time. By allowing a balance of these provisions, I think that we indicate to our judicial sector that we are going to have a democratic society that is fair, open, accessible, and balanced.

Mr. Deputy Speaker, there are a number of individuals who have indicated they would like to comment to us on the appropriateness of this detailed legislation, and in order for that to happen I move to adjourn debate.

**The Deputy Speaker:** — It has been moved by the member for Melfort that debate be now adjourned. 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. 52 — The Limitations Consequential Amendment Act, 2004/Loi de 2004 sur les modifications corrélatives découlant de la loi intitulée The Limitations Act**

**The Deputy Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I rise today to move second reading of The Limitations Consequential Amendment Act, 2004.

This Act consequentially amends the seven bilingual Acts so that they are in harmony with the principles in The Limitations Act. In some cases limitation periods are repealed. Some are preserved, and some are amended. These changes are made to ensure consistency with the new limitations statute.

Mr. Speaker, I am pleased to move second reading of an Act to make consequential amendments to certain Acts arising from the enactment of The Limitations Act.

**The Speaker:** — It has been moved by the Minister of Justice that Bill No. 52, The Limitations Consequential Amendment Act, 2004 be now read a second time. Is the Assembly ready for the question?

I recognize the member for Melfort.

**Mr. Gantefer:** — Thank you, Mr. Speaker. Mr. Speaker, because this Bill is very much linked to The Limitations Act, we believe they should be kept together in the consideration process. And in order to do that, I would move to adjourn debate.

**The Speaker:** — It has been moved by the member for Melfort that debate on Bill No. 52 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. 41 — The Contributory Negligence Amendment Act, 2004**

**The Speaker:** — I recognize the Minister of Justice.

**Hon. Mr. Quennell:** — Mr. Speaker, I rise today to move second reading of The Contributory Negligence Amendment Act, 2004. The Contributory Negligence Act provides for the manner in which joint and several liability operates in Saskatchewan.

The principle of joint and several liability provides the defendant who is found liable in an action and tort or negligence may be required to pay the entire amount awarded against all defendants, regardless of the degree of responsibility of the particular defendant. Where there are two or more

defendants and one of them is unable to pay its share of the judgment, the other defendants are required to pay their own share plus that of the defendant who is unable to pay. The rationale for joint and several liability is to ensure that plaintiffs are able to recover their full damages, notwithstanding the fact that one of the defendants cannot satisfy his or her share of the judgment.

However the law has come under increasing criticism for the unfairness that results when a defendant is required to pay significantly more than its share of a judgment. An unintended result at the principle of joint and several liability is that it encourages claims against defendants with deep pockets such as municipal governments, professional, and other individuals or groups who are known to be well funded or well insured.

These groups have complained that the availability of adequate insurance and the cost of such insurance, where it is available, are becoming increasingly serious problems. Municipalities tell us that there's very little competition for their insurance business and that the deductibles have become so high that they have, to a large extent, been forced to become self-insured. Professionals such as accountants, engineers, and architects tell us that their rising premiums result in higher cost to their clients. And businesses tell us they must pass this increased cost onto their customers. Health regions and representatives of the medical community indicate that higher insurance premiums place an additional burden on our medical system.

In addition we are told that there is pressure on defendants to pay claims even where they believe they bear no responsibility for the plaintiff's loss because a finding of even a small percentage of liability against them may result in responsibility for paying the entire loss.

The amendments do not do away with joint and several liability. Plaintiffs deserve to be compensated for their losses. However to accommodate the concerns of those defendants I have just described, the amendments do contain two significant changes to the manner in which the principle of joint and several liability will operate in certain circumstances.

Under the current wording of the Act where one defendant is unable to pay its share of damages as awarded by the court, the plaintiff can collect the entire amount of the judgment from any one of the remaining defendants found to have contributed to the loss. Although the defendant called upon to pay is entitled to request contribution from the remaining defendants, the Act currently limits the ability to that amount accessed against those defendants by the court. Accordingly the effect of one defendant's inability to pay could be borne entirely by the defendant first called upon by the plaintiff to pay.

Under these amendments, the inability of a defendant to pay its share of a judgment will be borne on a pro rata basis by all remaining defendants according to the degree of fault attributed to them by the court.

The second change to the existing law contained in these amendments will affect plaintiffs who have been found by the court to have contributed to their own damage or loss. Plaintiffs who have contributed to their own loss will be required to share also on a pro rata basis in the effect of any shortfall caused by a



defendant who cannot pay its share of the damages. Accordingly where one or more defendants are unable to pay a judgment against them, the plaintiff will receive less in proportion to the liability assessed against them by the court. The law in Saskatchewan is currently the same as all other Canadian jurisdictions, with the exception of British Columbia where plaintiffs found to have contributed to their own loss are not entitled to the benefits of joint and several liability.

(14:45)

However over the past 25 years, the law reform commissions of Alberta, British Columbia, Saskatchewan, and Canada have all recommended changes to the legislation to provide for reallocation of the responsibility for unfunded liability. To date none of these recommendations have resulted in legislative amendments.

However in the United States, after several decades of tort reform, almost all American states have enacted some form of modified proportionate liability regime. Australia and New South Wales have also introduced aspects of proportionate liability into their laws. We have drawn upon the experience of all these jurisdictions in arriving at the amendments proposed today.

Mr. Speaker, the amendments in this Bill strike a fair and reasonable balance between the legitimate interests of plaintiffs who have suffered injury or loss as a result of someone else's wrongful behaviour and the interests of the defendants who are responsible for injuries or losses. The amendments allow joint and several liability to remain available to those who have suffered a loss but in a manner that will reduce the negative effects on Saskatchewan's municipalities, businesses, and professional communities.

Mr. Speaker, I am pleased to move second reading of The Contributory Negligence Amendment Act, 2004.

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

**The Speaker:** — It has been moved by the Minister of Justice that Bill No. 41, The Contributory Negligence Amendment Act, 2004 be now read a second time.

Is the Assembly ready for the question? I recognize the member for Melfort.

**Mr. Gantefer:** — Thank you, Mr. Speaker. It's a pleasure to rise and speak briefly about Bill 41, The Contributory Negligence Amendment Act.

Mr. Speaker, I think the minister has quite accurately defined some of the positive and the potential negative issues surrounding joint and several responsibility that exists in the current legislation. And the minister I think correctly identified that victims that have a responsibility to be compensated need to have the right to be fully compensated. And there is that dilemma between . . . Are all members that are held joint and severally responsible equally able to live up to their responsibilities and commitments?

Mr. Speaker, I think it also is true is that the whole issue

surrounding litigation and those sorts of issues have placed a great deal of pressure and burden on many of our professionals and professional organizations like professional engineers, medical professionals, doctors, specialists, and things of that nature. And so there has to be an issue of fairness and balance. And I think, Mr. Speaker, the minister's outlined a couple of significant changes to the current legislation that may go some considerable distance in order to make this whole process a lot more balanced and fair to all those concerned.

Mr. Speaker, we know that many professional organizations, as well as representatives potentially of municipal jurisdiction and governments, will be interested in commenting on this legislation. And in order for that to happen, I would now move to adjourn debate.

**The Speaker:** — It has been moved by the member for Melfort that debate on second reading of Bill No. 41 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.

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 1

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Van Mulligen that **Bill No. 1 — The Financial Administration Amendment Act, 2004** be now read a second time.

**The Speaker:** — I recognize the member for Lloydminster.

**Mr. Wakefield:** — Thank you, Mr. Speaker. This Bill No. 1 I think is going to be a real positive piece of legislature.

Mr. Speaker, we have been calling on the government for some time to start putting together summary financial statements. This is one of the areas that the government appears to have been listening and is moving toward more accountability and transparency, and certainly that's going in the right direction.

We're generally in support of this particular amendment, and really not for reasons of trying to have any advantage or political expediency. It's really, Mr. Speaker, just the right thing to do, and it's about time that it was done.

When you look at these kinds of reporting in a typical corporation, the financial statements are very, very important. And the financial statements have to be complete and accurate, and the members of the board of directors of any corporation have to stand behind them. And so the transparency and accuracy are very, very important. So whether you're in a corporation or if you're in partnerships in businesses or if you're just talking about your family finances, it is so important that you have complete accuracy of the financial situation and full reporting. And also the full reporting in a very timely way

is so critical.

The timeliness, the accuracy of the reporting becomes very essential because the decisions that you're going to have to make — both in your own businesses or in your own personal finances or in a corporate sense — depend very much on the accuracy and timeliness of those reports. And here's a situation in government circles where completeness is really very important.

When we're looking at the budgetary process . . . and the reporting in the government finances up to this point, the fiscal . . . the General Revenue Fund rather, Mr. Speaker, has certainly been open for scrutiny and for debate. But that only at that time represented 60 per cent of the financial picture of the province. That's not complete. The other 40 per cent was available to us only after the fact when the annual reports were presented and then the two brought together when the Provincial Auditor was putting the summary statements after the fact.

The timeliness then was not available to the scrutiny of the legislature, and therefore it doesn't have the scrutiny of the people of the province. And so this change is both important and timely, and that part of it is certainly supported from my point of view. If you don't have that kind of reporting, the assumptions then start to tend toward what is the right thing to do. And certainly we have to make sure that there isn't any suggestion of wrongdoing or any suggestion that things could be manipulated behind the scenes.

We are going to try to explore some of the other items that are talked about in these amendments, and we're going to do that at a later function, later time. And so I therefore move adjournment on the debate of Bill No. 1.

**The Speaker:** — It has been moved by the member for Lloydminster that debate on Bill No. 1 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. 13**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cline that **Bill No. 13 — The Labour-sponsored Venture Capital Corporations Amendment Act, 2004** be now read a second time.

**The Speaker:** — I recognize the member for Last Mountain-Touchwood.

**Mr. Hart:** — Thank you, Mr. Speaker. Mr. Speaker, I'm certainly pleased to be able to enter into the debate on Bill 13.

Venture capital is a very important item in this province. We have a growing . . . a province that we need to grow the economy, and venture capital is an integral part of start-up of

new businesses and their future successes.

I have a group of individuals in the community in my area in Kelliher, Mr. Speaker, who are endeavouring to start a business and that's their major obstacle, is gathering up enough venture capital to get that business up and running. And so anything that we can do in this province and that this government can do to create more venture capital is certainly a step in the right direction. And particularly, we need the working men and women of this province, Mr. Speaker, to have a vehicle whereby they can invest their savings to help create the quality jobs that they themselves, or their children, or their family members can then obtain and build careers on, Mr. Speaker.

By and large, there's been one or two members from this side of the House that have spoken to this Bill. We've identified a couple of problems with this Bill. We've sent it out to interest groups and stakeholders. We've received some feedback but we certainly haven't received all the feedback that we need . . . that we feel we require, Mr. Speaker, so therefore, I would move that we adjourn debate on this Bill.

**The Speaker:** — It has been moved by the member for Last Mountain-Touchwood that debate on Bill No. 13 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion's carried.

Debate adjourned.

#### **Bill No. 15**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Higgins that **Bill No. 15 — The Workers' Compensation Board Pension Implementation Act** be now read a second time.

**The Speaker:** — I recognize the member for Last Mountain-Touchwood.

**Mr. Hart:** — Thank you, Mr. Speaker. Bill 15 is a Bill that enables the Workers' Compensation Board to move the superannuation plan and benefits into the new pension plan and we have asked for input on this Bill, Mr. Speaker. We haven't received any negative comments.

The only comment I would like to make and that's with regards to pension is I was very recently made aware of a group of individuals who contributed some 38 years to a pension fund only to find upon their retirement that the pension plan was bankrupt. And that is certainly not an acceptable situation in this province today, Mr. Speaker, and so therefore, we must ensure that that type of incident doesn't repeat itself.

I'm not saying that that's the situation here at all, but I just thought I would like to put . . . make those comments in the context of pension plans and superannuation plans. And as I said, Mr. Speaker, we have reviewed the Bill. We have some questions but we feel that those questions can be adequately addressed in the committee stage, so therefore, Mr. Speaker, I

suggest we move this Bill to committee.

**The Speaker:** — The question before the Assembly is the motion moved by the Minister of Labour, that Bill No. 15, The Workers' Compensation Board Pension Implementation Act be now read a second time? Is the Assembly ready for the question?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Minister of Labour.

**Hon. Ms. Higgins:** — I move that Bill No. 15, The Workers' Compensation Board Pension Implementation Act be referred to the Standing Committee on the Economy.

**The Speaker:** — It has been moved by the Minister of Labour that Bill No. 15, The Workers' Compensation Board Pension Implementation Act be referred to the Standing Committee on the Economy. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

Motion agreed to, the Bill read a second time and referred to the Standing Committee on the Economy.

### Bill No. 16

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cline that **Bill No. 16 — The Geographic Names Board 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'm glad to rise and discuss this Bill. It's very important that we do recognize the men that paid the sacrifice they did in the Second World War.

The term we use is, lest we forget, and too often and too many times people are forgetting the price that these young men paid. And they were teenagers basically and some just barely out of their teens and they paid the ultimate price, I mean the ultimate price not only in death. They paid the ultimate price physically and mentally. What they have gone through has left them marked for the rest of their lives. They are not the same people they were when they left and they never will be, so our recognition is important.

D-Day, they say . . . The philosophers, the experts say that D-Day is the day that Canada became a nation. So these are the

young men that made us the nation.

Mr. Speaker, I am a son of a veteran and I have talked to veterans. The Bill would be a small, small — very small tribute, but yet it is good. My concern with the Bill is the selection of the committee. Why do we need ISC (Information Services Corporation of Saskatchewan) to administer? Ask the Legion. They were good enough during the war. They're good enough now.

Thank you, Mr. Speaker. We are prepared to let this Bill move to committee.

**The Speaker:** — The question before the Assembly is the motion moved by the Minister of Industry and Resources that Bill No. 16, The Geographic Names Board Amendment Act, 2004 be now read a second time. Is the Assembly ready for the question? Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the minister.

**Hon. Mr. Cline:** — Mr. Speaker, I move that Bill No. 16, The Geographic Names Board Amendment Act, 2004 be referred to the Standing Committee on the Economy.

**The Speaker:** — It has been moved by the Minister of Industry and Resources that Bill No. 16, The Geographic Names Board Amendment Act, 2004 be now referred to the Committee on the Economy. Is it the pleasure of the Assembly to adopt the motion?

(15:00)

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried. The Bill is referred to the Committee on the Economy.

Motion agreed to, the Bill read a second time and referred to the Standing Committee on the Economy.

### Bill No. 2

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Quennell that **Bill No. 2 — The Power Corporation Amendment Act, 2004** be now read a second time.

**The Speaker:** — I recognize the member for Estevan.

**Ms. Eagles:** — Thank you, Mr. Speaker. Mr. Speaker, I'm pleased today to stand, Mr. Speaker, and speak on the Bill No. 2, the Act to amend the SaskPower . . . or, pardon me, The Power Corporation Act.

Mr. Speaker, upon first glance this Bill appears to clarify SaskPower's current exclusive franchise to transmit and sell electricity in Saskatchewan. The amendment, it seems, will clarify and make it easier for SaskPower to respond when there is a breach of exclusive franchise. We do have some questions on this side of the House as to exactly what that does mean.

In his second reading speech for this piece of legislation, the minister responsible stated:

... but also ensure that they are in the position to foster economic opportunities ...

There will be questions from our side of the House and from other interested groups in Saskatchewan arising out of this statement, Mr. Speaker. We all know that the NDP uses the Crowns to invest taxpayers' money and loses tens of millions of dollars when it could be better spent within Saskatchewan. We see money from Saskatchewan taxpayers that the NDP uses to invest in places like Nashville and Atlanta and Australia when the money could probably be better invested in places like Nipawin or Alida or Aberdeen.

We have seen ... sent this Bill to a number of third-party groups to determine exactly how this piece of legislation will impact power cogeneration in Saskatchewan.

We are also hearing from others that are concerned about what this Bill may do to their business, Mr. Speaker. Because we all know that this NDP government and this Premier, the member from Riversdale, if they are not busy breaking election promises, they seem to be busy scheming or thinking up plans to spend the taxpayers' dollars all around the planet.

Now in terms of where things are with SaskPower, we all know on this side of the House, Mr. Speaker, the great job that the hard-working employees do within this Crown corporation; whether they work here in Regina or if they are at work back in my home constituency of Estevan, the workers are proud and we on this side of the House applaud them.

And at this time, Mr. Speaker, I'd just like to take a minute to thank them on behalf of all the constituents, thank the SaskPower employees who worked round the clock restoring the power that was out in my constituency after a major storm left them all without electricity. So hats off to those employees.

Mr. Speaker, I must add that I was reading through the paper and a headline regarding SaskPower caught my attention. It was from the April 3 edition of the *Leader-Post* and the headline says, "Pay more for electricity?". The article states that SaskPower may be looking for a rate hike in the next few months and I just can't help but wonder where that direction is coming from.

I wonder if it is coming perhaps from the member from Saskatoon Nutana, the Minister of the Crown Management Board who stated that she wasn't even aware of the Premier's promise to have the lowest utility rates in all of Canada. But it would seem that if you are trying to have the lowest utility rates in all of Canada the first thing you wouldn't do is jack up the SaskPower bills.

As I mentioned SaskPower employees work hard and do their best, Mr. Speaker, but when you have the Premier and this NDP government constantly breathing down your back I can only imagine how hard it is some days for these fine people to do their job.

Now with this promise of the lowest utility rates, we all know that it is another promise broken. We know of the many promises this Premier made before the election, the things he told the people of Saskatchewan. And now they learn that their Premier, the member from Riversdale, had no intention of even coming close ...

**The Speaker:** — Order, please. Order, please. Order, please. Order, please. It's unparliamentary for a member to refer to improper intentions on the part of any members in the Assembly. I ask the member to withdraw the statement before she proceeds.

**Ms. Eagles:** — Mr. Speaker, I do withdraw that.

**The Speaker:** — The member may proceed.

**Ms. Eagles:** — Mr. Speaker, in regards to Bill 2 and how it may impact the people of Saskatchewan, when we talk about SaskPower I just think of another embarrassment that this government has had and that is the Channel Lake. And you know, I'm reminded of the \$15 million that was lost through the Channel Lake ordeal and how far that money would have went towards health care.

Mr. Speaker, we do have other questions on this Bill but we will send it to committee and then we can address those concerns there. Thank you.

**The Speaker:** — The question before the Assembly is the motion moved by the minister for SaskPower that Bill No. 2, The Power Corporation Amendment Act, 2004 be now read a second time.

Is the Assembly ready for the question?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — The motion is carried.

**Clerk Assistant:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Minister Responsible for SaskPower.

**Hon. Mr. Quennell:** — I move that Bill No. 2, The Power Corporation Amendment Act, 2004 be referred to the Standing Committee on Crown and Central Agencies.

**The Speaker:** — It has been moved by the Minister Responsible for SaskPower that Bill No. 2, The Power Corporation Amendment Act, 2004 be now referred to the

Committee on Crown and Central Agencies. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried. This Bill stands referred to the Committee on Crown and Central Agencies.

Motion agreed to, the Bill read a second time and referred to the Standing Committee on Crown and Central Agencies.

### Bill No. 7

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Sonntag that **Bill No. 7 — The Automobile Accident Insurance Amendment Act, 2004** be now read a second time.

**The Speaker:** — I recognize the member for Estevan.

**Ms. Eagles:** — Thank you, Mr. Speaker. Again I'm honoured to stand today to speak on Bill 7, the amendments to the auto insurance Act. And, Mr. Speaker, this is a large piece of legislation, and there are numerous amendments to the auto insurance Act that are being proposed.

We have sent this Bill with explanatory notes to some lobby groups for their opinion, and we are starting to hear back their concerns, so we do have several issues that we are waiting to deal with.

Mr. Speaker, the minister stated in his second reading speech that this Bill proposes changes to the tort injury insurance product, and it also deals with no-fault and some proposed changes to that specific package.

The minister also mentioned in his second reading speech that a change is being — pardon me — being proposed for no-fault is ensuring someone who has no-fault, who is entitled to sue for non-economic losses, is subject to a \$5,000 deductible. And we will have some questions for this NDP government as to why that is being introduced.

We have several issues, Mr. Speaker, that we feel have to be resolved before we can move this to committee. So with that I will adjourn debate on Bill 7. Thank you.

**The Speaker:** — It has been moved by the member for Estevan that debate on Bill No. 7 be now adjourned. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion's carried.

Debate adjourned.

### Bill No. 8

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Quennell that **Bill No. 8 — The Gas Inspection 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's a pleasure to address some concerns over this particular Bill.

It more or less seems like a little bit of a housekeeping Bill. Sometimes I think some of the Bills that come here are just kind of make-work projects, make little adjustments to them. I don't even know why some of them are made. The original Act that was done in '92 I think — I believe it was '92 or '93 reading through the Bill — I think covers pretty well everything. And it is, you know, it was a fairly good Bill.

There's a couple of comments I would like to address that the member had made from Saskatoon when he did second reading on it. He had talked about a quote here:

... today also fulfill(s) a commitment by our government in the Throne Speech to improve the safety and security of our neighbourhoods.

Well I think that, I don't know if I would call this fulfilling a commitment. I would think most people when they thought the Premier talking in the Throne Speech about fulfilling a commitment to safety was probably talking about the 200 police officers that they should be hiring or improving safety on the streets.

But getting back to this particular Bill here, Mr. Speaker, there's one question I have, but I guess I'll have to ask that in committee is ... I noticed they've raised the fines from 1,000 to \$10,000, and I can't understand why that? My office hasn't had a lot of particular calls on offences dealing with gas inspection. I don't think it was a particular problem out there, Mr. Speaker, throughout the constituency.

I can't understand why they'd be taking such a huge jump from 1,000 to 10,000 which could affect some of the people that are out there that are also doing gas inspections at that end of it there on handing out fines, and that's ... But some questions have to be asked in committee. But I can't ... He didn't even touch why they would raise the fine at that much. Was it a problem? Was there people, a lot of people, breaking ... not fulfilling their role or not following the rules, regulations? I don't know. I never in my years, four or five years of MLA (Member of the Legislative Assembly) office, I haven't had one complaint about that or even read an issue anywhere on the particular thing. So I found that was a little strange.

So that's what I talk about when they were just tinkering with that particular piece of legislation, that they couldn't really find anything else to do to it, so they decided well, we'll just raise the fine from 1,000 to \$10,000 because the Premier said, well we've got to have so many Bills at this particular Legislative Assembly. So you just go through your particular agenda, and you do some adjusting to a particular Bill that possibly doesn't affect anything.

And I know that there is a few comments coming from the other side, so I won't be adjourning debate on this, so if some of the other members want to get up and address this particular Bill, I will certainly let them. They will certainly be able to get into the particular debate on this particular Bill.

But I tell you what, on this particular Bill I really can't see where there was much to put through the House here on that other than adjusting the 1,000 to 10,000, which I don't think there was a reason for that. If you want to adjust some things in the Bill, you should adjust the one, that's safety out there. You want to talk safety . . . is marking lines. I know that out in our area there, that it's been commented there should be more markings in natural gas lines in the area. And that's something that they could possibly address in this particular Bill on that.

The only thing that I can know that addresses with this Bill . . . I can remember a few years ago there was a particular gas inspector who was raised in this House that I think referred to himself as doctor death when he was calling on people to inspect their furnaces, which kind of upset some of the businesses. And I know that if I was getting a house inspected and some guy phoned and said that he called himself . . . this is doctor death, and I'm coming to inspect your house. And I think I know where I would tell him where to go. And I think, I'm hoping that they've addressed that problem at that . . . when it comes to that. I think that shows a lot of insensitivity, Mr. Speaker.

But at that, I would . . . Other than that, it's kind of a short Bill, and I know it's . . . about the only two things I can see where it's really did anything . . . and I know in committee will I certainly be asking why the particular fine . . . And I hope the minister is watching this . . . will be bringing that particular information to the committee meeting because I know that's one of the questions that I'll be asking at that end of it.

And also I'd just like to make a couple of comments on, if they want to work about safety, is marking more lines out — to providing that out there at that end.

So with that, Mr. Speaker, I think that's all I have to say on this particular piece of legislation.

**The Speaker:** — The question before the Assembly is the motion moved by the minister of SaskPower that Bill No. 8, The Gas Inspection Amendment Act, 2004 be now read a second time. Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Minister Responsible for SaskPower.

**Hon. Mr. Quennell:** — I move that Bill No. 8, The Gas Inspection Amendment Act, 2004, be referred to the Standing Committee on Crown and Central Agencies.

**The Speaker:** — It has been moved by the Minister Responsible for SaskPower that Bill No. 8 be referred to the

Committee on Crown and Central Agencies. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried. This Bill stands referred to the Committee on Crown and Central Agencies.

Motion agreed to, the Bill read a second time and referred to the Standing Committee on Crown and Central Agencies.

### Bill No. 9

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Quennell that **Bill No. 9 — The Electrical Inspection Amendment Act, 2004** be now read a second time.

**The Speaker:** — I recognize the member for Biggar.

**Mr. Weekes:** — Thank you, Mr. Speaker. A pleasure to speak to Bill No. 9, An Act to amend The Electrical Inspection Act.

In all these matters, Mr. Speaker, safety has to be the prime concern, and we certainly agree that any steps that we can take as legislators to protect the children and the general public concerning electricity, we should certainly make the effort. So that's certainly a high priority with the opposition. I'm sure it is with the government.

Mr. Speaker, with looking at this Bill, we have sent this Bill out to various people, groups around the province, and we've got some replies, and we're waiting for more of their thoughts and input on this legislation. But it seems to be making it tougher for independent electrical inspectors to set up and operate in the province, and I don't think that should be the purpose. And so we need to see if that is actually what's taking place with this Bill, or possibly it's just minor housekeeping Bills.

(15:15)

Mr. Speaker, it's interesting to note that the Bill will be changing the fines that inspector . . . heftier fines for inspectors who do not comply with the proposed legislation. This is an example. This one gentleman phoned that he is being penalized \$150 per occurrence for, in some cases, a \$5 permit fee. And that seems to be rather a hefty fine for a very inexpensive permit fee. And also he goes on to say that they can assess the same \$150 fine for being late as for having not reported, so there is certainly some inequities in the fines and in the system that this Bill may be bringing in.

And also one of the sections of concern is a new section, section 29, the vicarious liability section, and we'll be asking questions about this section.

And so, Mr. Speaker, I certainly, our . . . (inaudible) . . . in the Sask Party certainly have a lot of questions. And when it comes up in Committee of the Whole, we'll be asking those questions on behalf of the people of Saskatchewan.

**The Speaker:** — The motion before the Assembly is the one moved by the minister for SaskPower, that Bill No. 9, The

Electrical Inspection Amendment Act, 2004 be read a second time. Is the Assembly ready for the question? Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — Second reading of this Bill.

**The Speaker:** — Which committee shall this Bill be referred? I recognize the minister for SaskPower.

**Hon. Mr. Quennell:** — I move that Bill No. 9, The Electrical Inspection Amendment Act, 2004 be referred to the Standing Committee on Crown and Central Agencies.

**The Speaker:** — It has been moved by the minister for SaskPower that Bill No. 9 be referred to the Committee on Crown and Central Agencies. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried. This Bill stands referred to the Committee on Crown and Central Agencies.

Motion agreed to, the Bill read a second time and referred to the Standing Committee on Crown and Central Agencies.

#### Bill No. 11

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Thomson that **Bill No. 11 — The Department of Post-Secondary Education and Skills Training Amendment Act, 2004** be now read a second time.

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

**Mr. McMorris:** — Thank you, Mr. Speaker. A number of days ago I spoke on this Bill and raised most of my concerns regarding the Bill and just more concerns about post-secondary education and the problems that students are facing all over.

Certainly we hear again today that some of the students in SIAST (Saskatchewan Institute of Applied Science and Technology) are not out of the dark yet because some of the employees of SIAST are talking about striking again. So there's more issues there. It seems to be a continual struggle for post-secondary students in our province — not only straight . . . right from funding, all the way through to being able to complete their classes.

I had raised most of my concerns the last time I spoke to this Bill, so at this time I would move it to committee.

**The Speaker:** — The question before the Assembly is the motion moved by the Minister of Learning that Bill No. 11, The Department of Post-Secondary Education and Skills Training Amendment Act, 2004 be now read a second time. Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Government House Leader.

**Hon. Mr. Van Mulligen:** — Mr. Speaker, I move that Bill No. 11, the department of post-secondary and skills training amendment Act, 2004 be referred to the Standing Committee on Human Services.

**The Speaker:** — It has been moved by the Government House Leader that Bill No. 11 be referred to the Committee on Human Services. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

Motion agreed to, the Bill read a second time and referred to the Standing Committee on Human Services.

#### Bill No. 13

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cline that **Bill No. 13 — The Labour-sponsored Venture Capital Corporations Amendment Act, 2004** be now read a second time.

**The Speaker:** — The motion before the Assembly is the one moved by the Minister of Industry and Resources that Bill No. 13, The Labour-sponsored Venture Capital Corporations Amendment Act, 2004 be now read a second time. Is the Assembly ready for the question?

**Some Hon. Members:** — Question.

**The Speaker:** — Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the Government House Leader.

**Hon. Mr. Van Mulligen:** — Mr. Speaker, I move that Bill No. 13, The Labour-sponsored Venture Capital Corporations Amendment Act, 2004 be referred to the Standing Committee on the Economy.

**The Speaker:** — It has been moved by the Government House Leader that Bill No. 13 be referred to the Standing Committee

on the Economy. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

Motion agreed to, the Bill read a second time and referred to the Standing Committee on the Economy.

#### **Bill No. 19**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cline that **Bill No. 19 — The Land Titles Amendment Act, 2004** be now read a second time.

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

**Mr. Morgan:** — Mr. Speaker, I rise regarding this Bill and would like to make a few comments and then ask the debate be adjourned on this matter. We are not ready to have this Bill sent to committee at this time, Mr. Speaker.

We noted in the minister's speech on this that there was a number of comments from the minister as to how well ISC was functioning, and we're pleased that ISC is making progress in that regard. We still have very substantial concerns about the budget that was initially greatly overspent and the methodology that was used in developing this. But we're pleased that this project is getting there. And these amendments, Mr. Speaker, are in the regard of fine tuning or minor clarifications.

Some of the things that we're very glad to see, Mr. Speaker, are confirmation of the Torrens principle that people are entitled to rely on the titles and don't need to look behind the titles for fraud or other issues that are there. Effectively the province guarantees title as they always have and as they should. This is one of the best systems in the world, Mr. Speaker, and we're pleased that that is being entrenched in this legislation.

We note as well that there is priority given to converted instruments and interest based in transactions dealing with revolving lines of credit and how that's secured on title. And the priority of those instruments are clarified in this Bill, so we're pleased that that happens as well. We also note as well, Mr. Speaker, that the powers of the court are confirmed and enhanced. Any time that there is a system as complex as the land titles system, it's imperative that there be remedy and relief to the courts. So we very much support that aspect of this Bill.

This Bill also addresses minor housekeeping issues and provides clarification on details regarding issues of law and the technical process and to try and facilitate the business efficiency of ISC. We are pleased that that's happening. It deals as well with mineral issues and sort of the orphan titles that sometimes happen with transfers of surface and where the minerals aren't otherwise dealt with. So that we're pleased is being clarified in this Bill.

There's conflict of interest provisions that dealt with officials of ISC and that type of issue to promote honesty and integrity within the system. I don't think it was a specific issue that was

being addressed, Mr. Speaker, but we are pleased that those type of legislative inclusions are there to ensure the integrity of the system is retained.

Mr. Speaker, this Bill permits other provinces and territories to own and acquire land in the province. It validates certain practices regarding registration of interests. It does other steps where affidavits would be required, and it tries to simplify and smooth this process as is required to give proper commercial effect to the piece of legislation.

Mr. Speaker, it would be my pleasure to move adjournment of debate.

**The Speaker:** — It has been moved by the member for Saskatoon Southeast that debate on second reading of Bill No. 19 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. 20**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cline that **Bill No. 20 — The Land Surveyors and Professional Surveyors 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. 20, The Land Surveyors and Professional Surveyors Amendment Act. Mr. Speaker, we have contacted the land surveyors' and professional surveyors' association, and the members of that association confirm the support for the Bill No. 20, and we certainly respect that support they have given to the amendment, Mr. Speaker.

Just one question of course, the one thing that we have to ask, what this Bill does is of course allow non-residents to be a member of the council and . . . but still Saskatchewan residents would hold the majority, I believe, members on the council. But Mr. Speaker, it just begs the question is why do we need to go out of province to have surveyors from the professional association on Saskatchewan's council? I think the answer lies in the lack of economic development in this province that the present government has undertaken for many years.

And, Mr. Speaker, if we had a buoyant economy and a plan in place that showed that this province is moving ahead, we probably wouldn't need a Bill like this. But we're going to respect the wishes of the surveyors' association and move this to Committee of the Whole.

**The Speaker:** — The question before the Assembly is the motion moved by the Minister of Industry and Resources, that Bill No. 20, The Land Surveyors and Professional Surveyors Amendment Act, 2004 be now read a second time. Is the Assembly ready for the question?



**Some Hon. Members:** — Question.

**The Speaker:** — Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — Second reading of this Bill.

**The Speaker:** — To which committee shall this Bill be referred? I recognize the minister.

**Hon. Mr. Cline:** — Mr. Speaker, I move that Bill No. 20, The Land Surveyors and Professional Surveyors Amendment Act, 2004 be referred to the Standing Committee on Crown and Central Agencies.

**The Speaker:** — It has been moved by the Minister of Industry and Resources that Bill No. 20 be referred to the Standing Committee on Crown and Central Agencies. Is it the pleasure of the Assembly to adopt the motion?

**Some Hon. Members:** — Agreed.

**The Speaker:** — Motion is carried.

**Clerk Assistant:** — Committee of Finance.

**The Speaker:** — I do now leave the Chair for the Assembly to go into Committee of Finance.

(15:30)

## COMMITTEE OF FINANCE

### General Revenue Fund Learning Vote 5

#### Subvote (LR01)

**The Chair:** — Order. Committee of Finance. The first item before the committee are the consideration of estimates for the Department of Learning found on page 107 of the Estimates book. And I recognize the Minister of Learning to introduce his officials.

**Hon. Mr. Thomson:** — Thank you very much, Mr. Speaker . . . Mr. Chairman.

I want to begin by introducing my officials. Seated next to me is assistant deputy minister, Dr. Margaret Lipp. Seated directly behind me is Gillian McCreary, who is the assistant deputy minister of Learning also. Next to her is Don Sangster, the executive director of school finance. Seated next to Mr. Sangster is Dr. Littlewood, the executive director of school legislation and school administration. Seated behind Don is Nelson Wagner, the executive director of facilities; and directly behind Gillian is Kevin Hoyt, the director of corporate services.

With apologies to you, Mr. Chairman, for the slight delay. I was

on a conference call with one of my colleagues talking about a number of issues pertaining, actually, to post-secondary education.

But if I might just begin by making a brief, a very brief statement. Certainly this Assembly and this session has had a great deal of time to talk about education and some of the issues and challenges which are facing us today. I want to take the opportunity to welcome the officials and to invite further discussion on this. I have no doubt that in the coming weeks and months, there'll be a great deal of discussion both in this Chamber and across Saskatchewan about the future of Saskatchewan education.

I want to say very briefly that in addition to the focus that is being placed today on the education system around finance and governance reform, there are a number of other areas that we would certainly welcome greater discussion in and really I think, show a lot of excitement and innovation and leadership on the part of Saskatchewan Learning within the national context.

Among those, I would identify the work that has been done to date on the School<sup>PLUS</sup> initiative, which is a bold new initiative that will try and refocus our school system, that will try and work in a broader way with communities to reconnect our schools and our school system back to communities to reflect the values of Saskatchewan people. This has been a very positive initiative that has been largely at a pilot stage up to now and now we are beginning to move it into a full phase of provincial implementation.

There has been a great deal of work done in the department over the last many years to deal with innovative new ways of helping with distance learning, on-line learning initiatives. Again this is a, very much a made-in-Saskatchewan approach that has been taken here and one that I think speaks to the strength of our educational system.

Certainly we understand in many smaller communities and schools with shrinking class sizes that there's a lot of pressure on rural teachers to be able to offer a broad range of course offerings. Distance education provides some of that opportunity to do that.

Certainly we've been aided by the build out of the CommunityNet program across the province, and as recently as two weeks ago with the decision to move to a two-way satellite system to deal with some of the problems we've had in, particularly, remote northern regions. These are two areas that I think Saskatchewan has excelled in and in areas we don't talk enough about in terms of the innovative work that is being done by the department.

From a perspective of how Saskatchewan children are doing within the school system, the educational indicators are showing that we are improving in terms of our educational outcomes and certainly both of the assistant deputy ministers who are here with us today have done a great deal of work in terms of focusing on educational attainment and educational outcomes.

I could probably spend the rest of our time this afternoon

talking about the good initiatives that are underway in the department, but what I'll do at this point, Mr. Chairman, is invite questions from the opposition so we can embark on a dialogue.

**The Chair:** — Administration (LR01). I recognize the member for Indian Head-Milestone.

**Mr. McMorris:** — Thank you, Mr. Chair. And thank you, Mr. Minister, for those opening remarks. I'm sure you could probably use the hour and twenty minutes that we have talking about education. If you're a good Minister of Learning — and I'm sure you are — then there's lots to talk about in your department and you could use that time. I appreciate though that we can enter into a dialogue on education and K to 12 (kindergarten to grade 12) specifically.

Before I go any further, I'd like to also welcome the officials and hopefully, within the hour and a half that we have, we'll certainly get some of the questions I have answered. I don't think this would be the last time that we see Learning and especially K to 12 in front of the Committee of Finance. At least I hope it isn't. I hope we have a couple more opportunities. But today's will be a good start, I guess.

I think what I would like to start out with is the recent announcement by the Department of Learning and the minister regarding the response to the Boughen Commission. There has been lots and lots of anticipation, lots and lots of talk in the field of education over, really, the last four or five years about restructuring and issues around restructuring. And I mean, I can just tell you from my perspective and dealing in the school systems that I have dealt with before I was elected and now since I've been elected, education doesn't always come up when you do polling as a top priority, until you talk to people that have kids in school and it is their number one priority. We have two boys in the school system right now and it really tends to focus your attention when you have a vested interest in how the school system is working.

But I would say, over the last number of years, people have been more focused on the school system and on the funding of education than ever before. And it doesn't necessarily mean that you have kids going through the school system and that tends to be a person's main focus. But it's often people now that are just paying their property taxes, that have been really starting to analyze what is going on in the school system; what can we do better and how can we — I guess the bottom line is — get some of the burden of funding education off of property tax, because that definitely has been the conversation.

It was the conversation not just in the last six months or eight months. It's been the conversation in this province for the last five, six, seven years at least. I can remember back five years ago, in the 1999 campaign — that was the first campaign I was involved with — and during that campaign in the constituency that I represent, there had been a couple of RMs (rural municipality) have tax revolt meetings.

And actually the tax revolt meetings that happened back in 1999 were centred right around where I live, one of the RMs where I farm and one of the RMs that I used to live in. The RM of Scott and the RM of Lajord both had tax revolt meetings, and

the concern was starting to raise then.

Now the government addressed it for two years by putting some more money towards education . . . towards not necessarily education, but through the RMs to offset the burden, and that kind of quieted or quashed the tax revolt movement in the province.

That was since backed away from three years ago or two and a half years ago, and as a result we're hearing more and more concern about the whole issue around property tax — so much concern around property tax, as a matter of fact, that the Premier would strike a commission, better known as the Boughen Commission, to look at the whole issue around funding education.

And when I look at the terms of reference here of the Boughen Commission, and I go through the first five points of reference, the terms of reference, each one of them deals with the funding of education: the appropriate balance between provincial and board of education's contribution to the financing of K to 12; the appropriate balance between the use of property tax and other sources of taxation to finance K to 12; fairness and equity among the existing classes of property to finance K to 12; local financial capacity among school divisions and the variations of an assessment, again to finance education.

So really the Boughen Commission was struck to deal with the issue that we even know that has been a major issue in the province for many, many years, is funding of K to 12 education.

Last week the minister came out with his announcement and there was certainly enough fanfare leading up. I mean I heard the minister a couple times and I heard lots of people talking, this would be the most significant announcement in education that we have seen in the last 40 to 60 years.

And so I guess we kind of had our expectations heightened, especially knowing that they knew that a major factor in education was the funding of it. And then after the announcement I think there was a number of people perhaps even a little deflated in the fact that it didn't really address too much the issue of funding, but it sure dealt with the structure of school divisions and the whole issue around amalgamation.

That's what I want to start on, is the whole issue around amalgamations and the structure the department sees going forward with its task force and a number of other initiatives. But first of all I guess I would like to hear from the minister himself as to what he thinks are the benefits of amalgamation. I mean we've gone from 100 — well 120 school divisions at one point — but if you look about over the last four years 100 down to 80 school divisions, 82 currently, with more amalgamation on the way.

And that was again directed, I really feel from the former minister of Education, Mr. Jim Melenchuk, that they wanted to see 25 per cent fewer school divisions, and they're on that . . . school divisions are on that way. But I just get the sense after last week that it wasn't fast enough and it wasn't large enough. There was not nearly as many amalgamations as what the department wants to see now.

So my question, without going any further — because I guess I could probably go for an hour and a half too and only get one or two questions in. My question is: from the minister's perspective, why amalgamation to the extent that they're looking at? Is it a financial savings, is it an educational issue? What are the reasons to push the amalgamation agenda like he is after last week?

**Hon. Mr. Thomson:** — I want to thank the member for his comments and for the question. I do want to take some opportunity today to have the discussion about some of the broader philosophical context of the education system. And I think the member alludes to that in his comments.

It's interesting that as we have gone through this debate over the last several years in Saskatchewan that there are a number of components to it. And I accept what the member says because I believe it to be true — that there is a growing disconnect between those who are using the system, i.e., have children in the system, and those who are asked to pay for it. I think that this in many ways is at the root of the so-called tax revolt movement, of the concern about the weight of property taxes.

What I find interesting is, as we talked to people around the province, including people who have either put their children already through the system or do not have children — and I would add into this as well representatives of the business community — that I hear no disagreement among any of those groups about the need for us to have taxpayer-supported education system. And I know that all the mainstream political parties in this province support that and are advocates of it.

The question that we come down to is, which form of taxation should we use to raise those funds? Should it be income tax? Should it be property tax? Should it be sales tax? Should it be some other mechanism — a surcharge or a premium or something else? Those mechanisms are all available to us in this Assembly to decide in terms of how we want to raise the 600-and-some million dollars that we need in addition to the 500 million that the province puts in annually to afford the education system that, frankly, we believe Saskatchewan children deserve.

The difficulty with this is that there is no easy answer to discerning what taxpayers want in terms of an appropriate balance. And we certainly saw this as we took a look at the response to Mr. Boughen's report, Commissioner Boughen's report, where he identified that what would be the best way to move forward was to identify a \$200 million shift off of property tax over onto sales tax.

On January 8 when I received the report, I had indicated that I thought we would have a very hard time achieving consensus around that. Indeed as members of this Assembly know full well, there was a large amount of opposition to moving to, not only a shift off of property tax over to sales tax, but really around the idea of expanding the sales tax base. As a result the government made a decision based on public opposition and a number of other factors not to expand the sales tax onto restaurant meals and snack foods.

The result of that is there was \$56 million less available. That is still available if we ever did decide to expand that sales tax to deal with expanded education. We could then also move off of property tax over to funding it that way.

The commissioner identified in his report a couple of other issues, though, that I found were quite thought-provoking — some might say provocative — I would certainly believe were important and in many ways persuasive.

The commissioner's arguments around the inequity that's currently based in the system I found to be very persuasive in terms of an area where we needed to start from. That in fact the system that has served Saskatchewan people fairly well for the last 60 years as we look at educational outcomes has not worked well in terms of making sure that there is a — clichéd as it is — but a level playing field in terms of paying for education.

So as a result today we have districts with a wealth differential of 25:1 between the poorest districts and the wealthiest districts, and we have significant variance within the agricultural farm land property class alone in terms of the mill rates which are applied.

There is no correlation between the — across the province — between what a person living in a \$100,000 house in the province today would pay varying on which community they are in. This I found to be persuasive as we looked at the commissioner's report as to a starting point for us to deal with education reform.

Financing governance reform will not get us a better education system in itself. But it will provide us with a level playing field, so that as new money comes into the system it will be more fairly distributed across the province, and that we will be in a better position to deal with these changes.

So it was my view that the first step we needed to undertake was in fact to deal with the fairness and equity issues outlined by the commissioner. The second phase is to deal with what has become an extremely complex formula for funding education through government revenues, namely the foundation operating grant — that we need to move to a simpler, more transparent way of doing that. And that third, we need to find a new way to shift off of the property tax base over onto provincial revenues. Those three items are all essential to us moving forward.

I am not sure that there will be a consensus in terms of moving off property tax. As I notice in the commissioner's report, the public opinion polling that was done showed that the province was basically split between those who believed that they were paying about the right amount on property tax and those that believed they were paying too much.

This is a problematic point to work from in terms of discerning how to deal with that, recognizing the same taxpayers are going to be paying for this education system one way or the other; whether it comes through property tax or income tax or sales tax, that it is still going to be paid for by Saskatchewan people as it's a provincial responsibility and it's not an area that we would directly invite Ottawa's participation into.

So we have work to try and bring forward a three-phase approach to dealing with this issue, starting with the fairness and equity pieces around financing governance.

**Mr. McMorris:** — I guess my question was really though just basic amalgamation. You know, I spent time talking to directors of education that have amalgamated. I've got a letter here that I would like to read in a little bit from a school division and a director from a school division that's looked at amalgamation with three other divisions and felt that that solution wasn't going to fix the problem, that it was going to fix a problem that they didn't have, a problem . . . they didn't have any of those problems in their area. They're looking at amalgamation as an exercise that really wasn't going to create any solutions to any of the problems they saw.

But I've talked to other divisions that are very much in favour of amalgamation. And I don't have any problem at all with amalgamation. In fact most of the divisions in my area have amalgamated or have talked about amalgamating or in the process of amalgamating; I have no problem with that.

But when you talk to people about amalgamation, they come at it from usually a couple of different areas, different directions. Often, if you talk to the directors, they say it's all about education — it's just about education because, frankly, we don't know if there's any monetary savings; it's a better education for the student. Well that's a very tough one to argue, and who's going to argue that? I mean yes, maybe that's the case. But you talk to other ones that will say, it doesn't do anything to enhance education in our division.

So it's a debatable point. Is it about education, just pure education? Or is it about money savings? Because we'll hear some people will say that, well if we amalgamate, we reduce the amount of administration; if we change the governance structure of a larger board from three boards . . . For example, I'll use Qu'Appelle Valley that had six, at least, trustees. So that's 18 down to a board that has 10; we've dropped eight trustees. There's some monetary savings there — not great, but some savings there — and some savings with the administration.

I want to know from the department's perspective, which one is it? Is it a bit of both? Is it a cross mix? What is it? Is it for the betterment of education or is it for some fiscal savings because the third issue that — and the minister mentioned it — about equity.

Just by going to larger boards does not, will not eliminate the inequities completely. I mean, you can go to a larger board for example in the Southwest that has an awful lot of oil and gas . . . Southeast, I should say, thinking of around the Weyburn and Estevan area and then you go straight north and, I mean, you could have a larger board in that Southeast and a larger board in the Northeast, but does that really address the inequities in the assessment and money raised through property tax?

So I guess it's a three-point question. What is amalgamation to the Department of Learning? Is it about better education? Is it about saving money? Or is it just about equity? Because if it's just about equity, I'm not sure you're solving the problem that

you're trying to address.

**Hon. Mr. Thomson:** — Well indeed it is item D — all of the above. As we look at this, it does have to do with improving . . . there are certainly organizational efficiencies. There may be some savings attached to that. The magnitude of that though, I would say is, would not be the driving factor behind this.

Once all the amalgamations are done, we may be looking at overall savings of 5 to \$7 million throughout the system. It could maybe be as high as 10 depending on how . . . to what extent the amalgamation goes ahead. But we're not talking about a huge financial saving. This is one of the reasons that in making the announcement we have directed that whatever savings are achieved through amalgamation should be redirected back into organizational services and educational instruction.

This is one of the things we saw where Qu'Appelle Valley, Sask Valley, and Sask Rivers have gone through amalgamation that in fact they did reinvest their savings and as a result we had better educational product. So there is some option there.

As we move to larger districts there will be some challenges around how we deal with accountability models. Certainly, and the member identifies, I think correctly so, that we need to think about the impact of having larger divisions and smaller boards and what that does to accountability. To that extent, this is one of the reasons we have identified that we need to bring in a new accountability mechanism around School<sup>PLUS</sup> councils.

It is the third point that the member raises that I find to be in many ways the most persuasive, and that is dealing with the equity issue. To have a variance of 25:1 between the poorest and richest divisions in terms of their ability to raise money, really is problematic. It's what has led to us having zero grant boards. It is what has led to us having very wealthy divisions and some very poor ones. And it's my view that through amalgamation we will be able to reduce that variance — hopefully, down to 5:1, something in the 5:1 range. That in itself will not fix everything; I mean, ideally you would want a 1:1 system.

As we've looked at options for that, you could go to something like Alberta does where everything is centrally pooled. The drawback of that, although I have some preference for that model, the drawback is that you lose the local autonomy. And as I talk to groups around the province, certainly out of Mr. Boughen's recommendation that commercial and industry property taxes be pooled, there was a huge resistance to that because it was seen as being confiscatory out of the regions — particularly the oil-rich regions — and being seen as drawing into the cities.

Interestingly, when I was on a . . . chatting with the *Kindersley Clarion* the other day, they had suggested that this was a good idea because it would help draw the money out of the larger cities that have a bigger commercial pool to draw from, and be able to spend it on poorer divisions like Kindersley. As we looked at it we felt that it was a better, given Saskatchewan's context, to go to a model where there was a regional sharing of wealth that reduced the variance down to something hopefully around the 5:1 mark, so that as new provincial money comes in

all the regions can benefit.

There will certainly be some very strong resistance from some divisions; there will be some divisions that will welcome it with open arms. I think this is one of the reasons it has been difficult for the school board association, as it has looked at this issue, to advance one particular response. Obviously their membership is split on this.

What we are trying to do is to devise a province-wise response, recognizing that in this case we are going to need to force together some rich and poor divisions that otherwise would not voluntarily come together. And that is why we have opted to do this.

So yes, it will mean some degree of fiscal savings, but I hope those will be reinvested into instruction. It should mean some organizational efficiency, as we have some very small districts that will be able to be moved in with larger ones. And yes it should mean significantly greater equity within the system in terms of the ability to raise money. And as a result, when the province brings in its funding it should mean a more equitable distribution of that.

**Mr. McMorris:** — I was interested that you have worked out maybe some calculation of the savings. You mentioned five to 10 million that there may be saved after we achieve the amalgamation that the department is looking for.

I guess my questions will go back a few years, to boards that have amalgamated, and then most recently to some of the boards that have just recently amalgamated. There has been some financial assistance by the department for boards that wanted to amalgamate. Could you tell me . . . This is more specific than what we have been talking about before, but could you tell me what assistance was available for school divisions that wanted to amalgamate, let's say eight or nine years ago, and then what assistance has been offered just recently.

I was in a meeting when Qu'Appelle Valley was going to amalgamate and I remember the former deputy minister, Mr. Dotson, was there and he made an announcement that there'd be more support through the Department of Learning. And I guess I would like to know those numbers to begin with.

**Hon. Mr. Thomson:** — I understand in the first round there was relatively small support, a small amount of support provided — about \$15,000 per board.

In the second round that ended up with the larger amalgamations that we think about around Sask Valley, Sask Rivers, and Qu'Appelle Valley, there was up to 450,000 per board with up to \$100 per student. It was up to \$100 per student in the new amalgamated board. That program cost about \$4 million to support that — 4 million overall.

In terms of this round, because we will be facilitating the amalgamation, we are expecting that we would be called upon and would be providing somewhere around 100, maybe 200,000 per new board to facilitate those amalgamations. And that is the parameter we're looking at.

Part of this will depend on how complex those amalgamations

will be. Some may be very easy; some may be much more difficult as we end up drawing in a larger number of boards. So there'll be some flexibility there but yes, we will be providing additional support.

**Mr. McMorris:** — Well that's interesting. I knew that there had certainly been an increase in the funding for boards and the larger boards that wanted to because there is quite an expense . . . It was quite an expense incurred by those boards that pursued that amalgamation route because it did take a number of meetings and it was not an easy task. It's a little bit easier for us to stand here and say, okay these two boards should amalgamate or these four boards should amalgamate, but we don't quite understand . . . I could say I don't maybe understand all that goes into an amalgamation of that level, and dealing with some of the people from Qu'Appelle Valley that were formerly on the board that went through the amalgamation there was definitely an awful lot of work that went forward.

(16:00)

But I think that's the very point because you know . . . The first round of amalgamations, I know boards that came together, two boards that came together, and then the second round of amalgamation that was asked for by the department, then one board that was formerly two joined with another board that was formerly two. And so we got originally four boards down to one. They've gone through two rounds of amalgamation. And then they hear the announcement — it's not good enough.

You know, I can see the frustration of a number of board members or school divisions, school boards, that have gone through two rounds of amalgamation and it's just not good enough yet. I can think of the school division that, again, that I represent — I'll mention Qu'Appelle Valley — that have gone through their work.

And Qu'Appelle Valley is certainly not unique, I mean it's . . . I think it's very in favour of amalgamation and further amalgamation. But they've gone through a pile of work just to have them told, or dictated to, that that's not enough, we're going to have to get you quite a bit bigger. Although that's not too bad, I guess. Qu'Appelle Valley is around the 5,000 mark. But there are divisions that have amalgamated and have got to 2,000, and their neighbour has got, you know, they've amalgamated and they've got to 2,000. Do they have to go through another amalgamation?

And they're feeling that there has been a lot of money spent on amalgamation already. We've just gone through it and we've kind of got to this point with more amalgamation on the horizon by voluntary . . . through the voluntary process. And so I guess the question is: why now all of a sudden dictating to school boards that what you have done is not enough, even though you've done exactly what we said? It hasn't been enough, and now why are we going to push it?

I realize that a lot of people in the province were anticipating this announcement and they were anticipating, quite frankly, some sort of an announcement on property tax. And what has happened is they've got an announcement on amalgamation. And school boards around the province are saying, it's not necessarily the size of us that makes the issue that is the

problem with property tax. It's the fact that we're not getting enough money from senior government, from the provincial government, to offset the need for property tax, both in urban and rural Saskatchewan.

So I guess I find it interesting why you're asking boards now that have already amalgamated to go on further at this time, when really the issue seems to be more around property tax. And I realize amalgamation, it deals with equity a little bit, it deals with education a little bit, it deals with a few things a little bit.

But what really the question was is: how you deal with the property tax on our ag land and in urban Saskatchewan? So why, I guess, why is this the time that you're pushing more divisions to amalgamate who have already amalgamated?

**Hon. Mr. Thomson:** — Mr. Chairman, we are prepared to put more money into the education system, as we have in this budget. It's interesting to note that in the last five years the province has added \$100 million to the K to 12 system — \$100 million more into the education system, and some people would say, and I've been asked that, how is it you can add \$100 million in but not see a decrease in property taxes, not see identifiable change in terms of the school system, still see school closures? How can we add in \$100 million and still not see that change? I think it's important that, before we put in the next \$100 million in this term, that we actually understand where that money's going to go.

It is interesting that through voluntary amalgamations we still have school boards that have no schools. We have school boards that have basically no children in them. Voluntary amalgamation has worked in some areas and what it showed us is that there were benefits to the taxpayers, that there were benefits to the students in terms of the system, and that we should be able to build on that. And I think that that is an important piece for us to identify, is that as we move forward with putting more money into the system and as we begin to deal with the restructuring, we need to make sure that we've learned from the success of the voluntary system. And that is what in fact we have done.

So that is why I think it is now time to move forward. I know that later today, or at least I anticipate we will get into some discussion about where districts have looked at amalgamations and not decided to proceed. And this does come down to this differentiation of have and have-not districts.

And I want to say that we will get into that discussion, but I have been convinced as we have looked at this that we need to deal with the equity issue first. And that is why we're going to push ahead now. It's not to say to districts that have gone through amalgamation, it's not good enough. It's just saying, we can do more.

And I think anywhere that I look within government, the broader government sector, education is one of the most innovative and accepting of change at a local level. What we need to do is to provide the leadership to help move it in that direction.

So I appreciate what the member is suggesting that yes, there

has been some amalgamation. Yes, it has been effective. I just believe that we can do more and that now is the time we need to do it, before we put significant new resources into the system.

Mr. Chairman, while I am on my feet, I would ask leave to introduce guests.

**The Chair:** — The minister has requested leave to introduce guests. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Chair:** — That is carried. The minister may proceed.

## INTRODUCTION OF GUESTS

**Hon. Mr. Thomson:** — Thank you very much. I notice that we're joined today in the Speaker's gallery by two officials with the school board association. I would like to welcome Mr. Bill Wells with the school board association and Ardith Stephanson who is largely responsible for their communications arm and for dealing with policy issues.

So if members would join with me in welcoming them, I would appreciate that.

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

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

**Mr. McMorris:** — Thank you, Mr. Chair. I also would ask leave to introduce guests.

**The Chair:** — The member has requested leave to introduce guests. Is leave granted?

**Some Hon. Members:** — Agreed.

**The Chair:** — That's carried. The member may proceed.

**Mr. McMorris:** — Thank you, Mr. Chair. I'd like to join with the minister in welcoming Bill Wells and Ardith Stephanson to the proceedings today. I guess they have a real vested interest, both working through the school board association. And hopefully they find the dialogue back and forth interesting and to the points that are so important to the school board association. So welcome to the estimates.

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

## COMMITTEE OF FINANCE

### General Revenue Fund Learning Vote 5

#### Subvote (LR01)

**Mr. McMorris:** — Further on to the questioning, it was interesting — the minister talked about the money that was put into the education budget. And this year it was roughly \$18 million, which I think we all realize goes to covering the

teachers' contract that will be up at the end of this school year.

So it really was not new money that went into operations for boards so that they could deal with property tax relief; it's covering the commitment that was made and negotiated through the provincial government as the main bargainer in those contracts, with the majority on the bargaining group. So let's be aware that the money that was put in, certainly I hope that the department didn't feel that it was going to at all address the issue of property tax relief, but simply cover the issue of contracts that were negotiated prior.

It was also interesting, and I'm fully aware, again within the constituency that I represent, I'm fully aware of boards of education that have no schools and maybe only a couple of students and they buy services here in Regina. I'm also very aware — because I grew up in that area and played a lot of sports with some of the members on the board — of a school division just outside of Regina that has a small school, K to 6, I believe, and then purchases services, and I'm ... in Regina here.

And I'm certainly questioned on a regular basis if I'm at an event with one of my former ball mates that we played baseball with, and he's questioned me quite intensely on what we feel should happen as far as amalgamation. And certainly one of their biggest fears is: that close to the city, would they lose their school? And I mean that's definitely one of the issues around keeping that division.

And I realize now that, and I think they were realizing, listening to Chris Boesch on the news service the other night, talking about his fear of losing their school. And that's a real fear for many, many communities.

I wouldn't necessarily agree with some of the arguments — well that's going to really hurt our community — because frankly the education is more important than trying to keep a school to keep their community alive. But the education that they offer there they feel is a good quality, and so then they really question, why would they lose their school?

But I just want to read a letter that I got from a director of education from Tisdale School Division that talks about amalgamation, and I think he puts it fairly well. As a director, and I quote here:

As a director of education, I am neither for nor against amalgamation. Amalgamation is simply a solution to a problem. What is missing from current discussions of using amalgamation as a solution ... (when it hasn't identified a) problem. In the northeast of the province, Tisdale ... Nipawin ... and Hudson Bay ... have analyzed the potential benefits of amalgamation and the resulting potential consequences. It is clear to us that the "solution" of amalgamation does not fit any (of the) problems that ... (they have identified in their) area.

So you do make ... you're going to really ... there is real mixed emotions around forcing amalgamation. And I think, so often is the case that if you allow the divisions to enter into agreements under their own will, sure with some assistance from the department and maybe with a good strong nudge from

a department, you're going to find stronger units when this is all over with. I'm not so sure you're going to find much cohesion or much morale or any sort of family bonding in a division that is dictated from the Department of Learning.

And I think that is very, very important in school divisions, when they sit around the board table and they've come to an agreement as boards to form this division; they've all bought into it and they realize it's the best for that area. As opposed to sitting around a board table, looking at the people around the board table and knowing that, I mean, the only reason we're around this table together is because the Department of Learning has told us to be around this table. And the voters in our division have voted us in.

I think you're going to find quite a difference if you were to sit around boardroom tables now of divisions that have amalgamated or are looking at amalgamation and the camaraderie I guess you could say around that boardroom table, compared to what you're going to see after 2006 with directed, forced amalgamation through the department.

I'd like to hear the minister's comments on that.

**Hon. Mr. Thomson:** — Well there are a number of issues there that I'm very happy to comment on.

First of all I want to reiterate, and I think it's important that we all understand this — education happens in classrooms, not boardrooms. And that's why finance and governance reform is taking a look at how we deal with the equity in financing issues. The education will continue to happen at the classroom level, and that sense of community needs to be at the local school level. That's where we build that sense of community.

I can think of boards that are in their existing districts that are badly divided on the direction they take. An example of course is the Kindersley board, which has a significant division in terms of the direction they take over their budget. This does not necessarily isolate, and would not prevent, these kind of divisions from happening by simply leaving the divisions as they are today.

What we need to do is to find workable divisions to try and deal with the equity issue that takes into account region, takes into account geography, takes into account the changing demographic, takes into account the student population, and looks for some community of common interest to build around. I think that that can happen on a larger basis.

I am a believer that we should do that through a model of pooling the wealth regionally and then supplementing it with additional money from the province. And that is the model that we have traditionally worked on.

The problem is, is that the districts no longer reflect natural regions. Our regions are larger in the province today. And so this is part of what we need to take into account.

With regard to the question of school closures, we have made it clear in this announcement, and I have said specifically, that there will be a moratorium on school closures from September 1 of this year until December 31 of '06 in order to allow the

transition to move forward.

Now what we need to understand is that of course there are some schools that are in the final motion stage and will close down this June. Those closures will proceed; those have been several months and years in the works, and I didn't want to undo the work that the boards had done in that regard.

But during this transition phase from September 1 of this year to December 31 of '06, we need to put in the moratorium to make sure that elected boards are in place, that we have the new accountability mechanism in place before additional decisions are made.

I also appreciate the comment that the member opposite makes about the concern of smaller boards, in terms of whether it's geographic size or population or school population, being swallowed up into Saskatoon and Regina. And this is one of the reasons that I have suggested publicly that the task force, the education and equity task force that Mr. Herron will be leading, will need to take into account how we deal with this to make sure that those interests are not swamped by the very large populations in Saskatoon and Regina. We have said that it is my preference, that we bring together whole districts into the amalgamation.

But again, as I understand, around the Saskatoon area there may be some desire to move the bedroom communities around that community into the Saskatoon board. If that were a map that were to come forward, if that were a suggestion that were to come forward, it would be one I would be prepared to look at.

(16:15)

But I am very conscious that we do not want to see moved in, at least into those two biggest boards where the population is significant on the urban side, smaller rural divisions that would simply get swamped. And I think that we have the ability to deal with that. And the task force that Mr. Herron is heading I think will move in that direction.

The other issue that the member raises, and I think is one that all of us should heed, is that none of us at least in this room with the exception of my esteemed officials have the kind of detailed knowledge about the work that will need to be done to move these divisions together. It is not as simple as getting the Jiffy marker out and drawing a boundary on a map. Map making is the easiest part of this.

What is difficult will be facilitating the merger of various contracts in, of being able to deal with the environmental issues, with the number of agreements we have — everything from the local contracts for the teachers to the CUPE (Canadian Union of Public Employees) contracts. There'll be staffing issues, busing issues, facility issues. All those will need to be facilitated.

It's our view that the best way to do that is to bring together the key educational stakeholders and have them put their efforts into moving that forward. So in addition to the education equity task force chaired by Mr. Herron, we will be reconvening what was known as the restructuring coordinating committee — the restructuring coordinating committee.

It's our view that this group should bring together the key players from the School Boards Association, from the STF (Saskatchewan Teachers' Federation), from SASBO (Saskatchewan Association of School Business Officials), from LEADS (League of Educational Administrators, Directors and Superintendents), from other stakeholders that would need to come together to actually facilitate this on the local level.

This transition must be seamless. And that's why we need to take some time to work our way through. This isn't something that'll happen effective November 15 when the map comes back and when we decide on what the new boundaries are. This will take us some time to move through transition.

So today what that means is I don't necessarily have the final answer on what the map looks like or how we'll do that . . . what the result will be. But what I can tell you is that we have in place a process that builds on the success we have seen and frankly learns from the lessons that we had with some of the amalgamations, so that we'll have a smoother and more seamless transition as we move forward by '06.

**Mr. McMorris:** — Just a little bit further to the divisions that I had talked about earlier — Tisdale, Nipawin, and Hudson Bay.

It's interesting I think that you could probably draw the analogy to sports in a way that if a coach gets the Coach of the Year award, that usually means he's gone the next year. Well when you look at these school divisions in the Northwest, in 2001 Nipawin School Division received the Premier's Award for Innovation and Excellence. And in 2002, Tisdale received the same award for innovation and excellence. They were recognized and singled out for their School<sup>PLUS</sup> and what they were doing in their school divisions. In other words, exactly what the department was wanting, the direction they were wanting them to go, but that doesn't mean that they can function any more into the future as the school divisions per se we see them today.

We'll leave that I guess for a second. I was interested to hear . . . And I was certainly interested in your comments last week when you talked about school closures. Now I'm not in favour of a school closure unless it makes sense for that local board . . . for that local school board, I should say. And it's interesting that you would put a moratorium on school closures for boards that don't make these decisions lightly.

And I've certainly been to a couple of school board meetings and been to a lot more community meetings where they're scared of losing their school. And the amount of energy and time that's put into saving a school . . . but guaranteed, the people that are on those school boards don't come to those decisions lightly. They've done their homework and they've wrestled with it, not only at the school board table but I'm sure driving home from that school board meeting. I'm sure they've wrestled with it in their communities after, and they make these decisions because they feel it's the best for education in their area.

Now don't get me wrong, I'm not saying that we should go around and close a bunch of schools, but you're taking the power out of the very people that were elected to make those decisions for the betterment of education in their area.



You know I really question why you would do it. It almost to me seems like an olive branch offered to rural Saskatchewan — don't worry, we're going to protect you for two years here; there'll be no more school closures. As if the boards were making those decisions lightly.

The boards only made those decisions because it was for the best of education in that area, region, regardless of what size that school board was. So I question again, you know, the timing of this. Why would you be saying that . . . tying the hands of school boards for making decisions that may be the best in short term/long term for that division?

**Hon. Mr. Thomson:** — Those communities where the boards have made the decision to close their schools as of June of this year will be permitted to proceed. What we have said though, as we go through transitioning, as we go to the larger districts, I think it's important that we not force those school closures.

If new resources become available because of changes to the operating grant, because of changes in terms of having more equity, of being able to share the resources more effectively because of having fewer district offices, maybe some of those schools won't need to close.

Some communities will always have a school because of isolation. I mean there are some that as long as there are children in those communities, they're going to have schools. That's not always the case with other ones. What they're influenced by is an availability of money.

And so what I'm saying is, as we're going through this transition, let's wait to get the transition complete to see what resources are available to those boards before we force them through this discussion about closure. And to me that seems to be the most rational approach. There's no sense in closing schools today if the resources became available to keep them open and the local elected boards — that there will still be local elected boards afterwards — would decide that they wanted to keep that open.

That being said, we identify that there, and we understand undoubtedly, there will be school closures in the future. This is not a panacea; it does not fix everything. But we're saying during a time of transition, I think it is fairer to the communities that are involved to allow the new boards to get in place, to have those discussions and move them forward after they know what the resources are. No sense doing it in a transition phase, and that's why we've brought in the moratorium.

**Mr. McMorris:** — I'd be very interested to know where that idea came from. Because the reason I ask that is, I don't believe that would have been driven through the school boards, that very idea. Because I can tell you from dealing with school boards that went through amalgamation, in their planning stages one of the things that they all agreed on is that we can't protect a weak school, for example, so that the whole board would have to deal with it after amalgamation. You have to make the decisions that have to be made leading up to amalgamation.

Because what you've done now, or what will happen I think in the future is that . . . Again I have no problem with amalgamation, but you know what's going to happen is that a

board will amalgamate, and for two years some of these decisions weren't made, so now these decisions will have to be made. And I think the idea of the general public after your amalgamation will be — see, we knew amalgamation wouldn't work; look at all these schools that are having to close — not realizing that there has been a moratorium for two years.

And I'm afraid that what you're going to do is taint the whole issue of amalgamation in the future, after 2006, with the fact that people are saying, man, this didn't work; look at all these schools that are closing. Because they've been protected for two years.

I understand your point that you're thinking by restructuring there's going to be greater savings — although you've already admitted that you don't think there will be much for savings with amalgamation — that some of these schools can stay open. And I'd be very interested to see that because, I mean, maybe time will prove that out.

I would say it's the alternative. I would say that in a couple of years, as the population declines further and further in rural Saskatchewan, that you're going to see schools that should have closed two years previous, that the new amalgamated board is going to have to make that as their first decision, and that amalgamated board is going to be tainted because people are going to say that's what it was all about.

**Hon. Mr. Thomson:** — Well I appreciate the political advice, and that probably is the easier way, which would be to have allowed the amalgamations to proceed with all the background noise of school closures.

But what I'm saying is that I think it is important for us to allow new boards to make those decisions based on what resources they have available. I mean we have a number of schools that . . . There were 16 schools closed last year, 10 schools that are appearing that they'll be closed this year. It's been averaging somewhere it looks like around eight schools per year — eight to ten schools a year.

So I mean we understand that, and we know where we're looking at in '05. We've got potential closures at Gainsborough and Alida, Denzil. I mean these are all very small schools. Denzil's about the largest with 68 students, and it's a K to 12 school. None of these have particularly large staff complements.

We're talking about in some cases . . . Well Alida School, which is where the member for Cannington comes from, 2.75 FTEs (full-time equivalent), maybe through the amalgamation, maybe through having the common mill rate set, that there will be the funds available. Maybe through the change in the foundation operating grant that there will be the 2.75 FTEs available. And maybe that new board will decide, no, that the rationale they were looking at initially — the old board was looking at — still held true, in which case then they should proceed.

What I'm saying is, during this time of transition, let's allow the amalgamations to go forward. Let's allow them to know what their budgets look like because a second piece of this is not only the amalgamation; it's the change in the foundation operating

grant which will change the way the province funds. Let's make sure all of that is out there including the '05 reassessment which will have a significant impact on the property tax base. Let's make sure all that information is clearly understood before we end up moving forward with more school closures.

Will this end school closures? No. Will it put some better understanding around what the parameters are in terms of the financial ability of boards to fund them? Yes. It won't change the demographics, but it may change the affordability model.

**Mr. McMorris:** — I guess one more statement on the whole moratorium of school closures. You just mentioned 16 last year — school closures — 10 the year before. That's 26. You're saying an average of eight or ten, so it obviously was quite a bit less years prior. But let's use those last two years of 26 school closures within two years, and let's project out two or three years down the road to 2007 when these fully amalgamated boards come into effect. There could very well be 36 schools that would close in the province within a year. And you know what's going to . . . That is going to taint the whole issue of amalgamation and frame the discussion where it's not supposed to be framed, but that's, I think, what that decision will lead towards.

But enough on school closures and the moratorium. I'm interested in so many other areas, but interested in finding out this restructuring committee. You've named the one fellow on the committee. You're yet to name two others. And could you just kind of give me a vision of what you see this restructuring committee . . . I guess we know its mandate. Its mandate is to get to 40 or less. In fact I mean, I think the documentation that we had last week showed probably 28 is less than 40, and I have a fairly good grasp of greater than and less than. But we're looking at probably anywhere from 25 to — I would predict — probably not over 30. But you want to keep to a 5,000 minimum per school division. And I mean, we can crunch the numbers. It's not really tough to do.

We don't have enough students outside the major centres and the three major boards that have amalgamated to have any more than 15 or 16 boards. And when you crunch the numbers . . . And we're not sure on the separate school division issue and how much amalgamation will go on there. But I'd be very interested, I guess — before I get going on too long here — about the restructuring committee and what you have envisioned for that, when you will be naming the other two members, and what the parameters will be for them going out . . . are they going to be consulting publicly, or how is this process going to work?

**Hon. Mr. Thomson:** — I want to start with the discussion that we were just leaving around school closures. It may interest members of the Assembly to know where we've been at with school closures over the last 30 years. From 1970 to 1980, there were 121 school closures. From a low of 3 in 1975 to a high of 20 in 1973. So there is a huge variance within that, from '70-80. From '81 to '91, there were 162 schools closed. The lowest year was 9 school closures. The highest year again was 20. From '92 to 2002, there were 115 schools closed from a low of 5 to a high of 18.

This has been the trend over the last 30 years, and undoubtedly

it has responded in part to the pressure of a system which is not able to keep pace, both in terms of the amount of money that it can raise and in terms of a growing number of very wealthy districts and a growing number of poor districts. We need to try and figure out a way to fix that.

(16:30)

So I understand that there will be school closures. And I am not saying that the moratorium is there to in any way chastise boards who make these very tough decisions with very good intent. But it is there to allow us to have a very clear understanding of what money is able to be raised during that time frame.

With respect to the role of the two different groups we have in place, one is the task force, the education equity task force, and the other is the restructuring coordinating committee.

The education task force will be headed by Fred Herron. There will be two additional members appointed to it. And it will have as its primary role to work with school boards to identify what is a reasonable number of districts in the parameters that we've set out, what the configuration of those are, and to come back no later than November 15 with a map that we will then use to move forward.

It is the second group that will play in many ways a much more pivotal role in moving this amalgamation forward, and that's the restructuring coordinating committee. This is where we will bring in the experts within the existing stakeholder community to facilitate the amalgamations to make sure that there is in fact a seamless approach. And again we would look to invite members of the School Boards Association — the CUPE, STF, LEADS, SASBO, all of these groups — to participate in this to move this forward.

And these two groups will deal with two separate issues. And while the work will overlap somewhat in the next couple of months, it is the work of the task force that needs to happen first. I am not looking at asking the task force, or providing them with a mandate, to do public meetings. We will be asking them to meet with school board associations to try and formulate what those divisions should look like and to then report back to me so that we can move forward with the amalgamations.

This is something that we have certainly thought about as I have looked at the report. Boughen recommended that we move forward with the task force to restructure and redraw boundaries in amalgamated fashion. I think that the time has come to do that and we now need to act on that.

**Mr. McMorris:** — I guess a quick question. Could I ask the minister then when will he be naming the other two members to the board and striking these task force . . . the first one on the map, which has to be back in November, but the second task force which seems to be . . . probably will be charged with an onerous job of then implementing the map.

**Hon. Mr. Thomson:** — I expect to make an announcement in the next couple of days about the other two members to the task force. The list of candidates that we've looked at have all got

significant experience at the trustee level at the division level in terms of moving those issues, and I want to make sure that we have people from the trustee community who will participate in that.

With regard to the restructuring coordinating committee, this will be a stakeholder-nominated group that we would look at. I haven't determined what that size would be, but indeed what we will be looking to do is to call upon people based on their expertise to move this forward. I think that that is a very critical component of it.

The education equity task force will have as its primary responsibility drawing the map, will need to report I think no later than November 15 of this year. That's what we've asked them to do so that we can move forward with the restructuring coordinating committee's work that will take some time.

It is possible — although I think highly unlikely — it is possible that all this work might be accomplished before the October '06 elections; that we might be in a position that, if this legislature wanted that, it could enact legislation to go to early re-elections. I am not convinced that that is going to happen, and as such I have picked a relatively conservative date of doing this in concert with the next municipal elections and school board elections for October '06, with then the moratorium coming off in '07.

**Mr. McMorris:** — Well I'll certainly be interested to hear the announcement of the other members of the initial task force to be announced in the next day or two because I remember about a month and a half to two months ago when the members said we'll be making a major announcement in the next week or two, two months ago. And so we were all waiting with bated breath, and we finally got to it. Well hopefully it won't take quite as long to name the members of the new task force.

I'm going to let my colleague from Saskatoon Silver Springs ask a few questions on a specific issue, and then as long as there is a bit of time left, we'll get back into more of the issue around what he perceives as equity in a region.

Maybe I better not get too far down that road. I was going to explain everything that I was going to ask, so I'll do that once I get back in. So I'll turn it over to the member from Saskatoon Silver Springs.

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

**Mr. Cheveldayoff:** — Thank you, Mr. Chair. Mr. Minister, I just wanted to switch gears a bit I guess and talk a little bit about capital construction and specifically the high schools in Saskatoon.

As most members of this House are aware — I've spoken about it at some extent so far — I've been quite an advocate for the construction of a high school in northeast Saskatoon and indeed two high schools for Saskatoon. Saskatoon has been playing catch-up. They have more students than Regina, but two less high schools, and it's a concern. And I've been part of the Citizens for a Northeast Collegiate, a lobby group that has been working diligently, working along with the Saskatoon Public

School Division as well as working with your department to ensure that a school does come into being in the near future.

I just wanted to, I guess, ask the minister at this point about the new northeast collegiate. We have heard that some \$9 million will be directed towards the funding of the project — \$350,000 in '04-05 and \$3 million in each of '05-06, '06-07, '07-08. My question to the minister is: has the funding schedule changed at all? And is this a firm commitment, or it is dependent on any extenuating circumstances?

**Hon. Mr. Thomson:** — Mr. Chairman, in fact I want to start by correcting the member that in fact both Saskatoon and Regina have about the same number of students in them. So in fact there are not more students in Saskatoon. Certainly Saskatoon has undergone a significant growth as a community, undoubtedly because of the strengthening economy that we have seen. Saskatoon has certainly benefited from this, and this is one of the accomplishments that this government is always happy to celebrate.

With that growth, with the changes in terms of those local communities, there are certainly pressures on them to see new school capital. I have written the school boards, both the Saskatoon public and the Saskatoon separate divisions, to advise them of the government's timeline for funding. The only issues that the funding is contingent upon is progress of the timeline that is coming forward, so land accumulation, the designs, those issues that are not directly in the hands of the government.

But I have written them. I don't think I have the letters with me today, but I'll endeavour to provide you with copies within the next day or two.

**Mr. Cheveldayoff:** — Thank you, Mr. Chair. The minister may have more up-to-date numbers on the Saskatoon and Regina enrolments than I do, but the last numbers I saw, Saskatoon was ahead. But the bottom line is that there's two less high schools, high schools that probably should have been built about three or four years ago.

Can the minister assure the citizens of northeast Saskatoon that the northeast collegiate will indeed open in the fall of 2006 as indicated?

**Hon. Mr. Thomson:** — Well I understand that we're on track for that date and, assuming there's no unforeseen impediments, I would see no reason why we won't see the school opening at that point.

I want to say that I appreciate . . . While that member certainly is making a case for the northeast Saskatoon schools, I can tell you that members on this side do the same with me in terms of the west side schools. And we are committed to the projects that we announced before the election and we will move them forward.

**Mr. Cheveldayoff:** — Mr. Chair, I can assure the minister that I'm concerned about the west side of Saskatoon as well.

And as one of my following questions, just to keep on this high school in the northeast for a period of time here, how far along

is the design process? And has the capital budget specifically been designed for the school?

**Hon. Mr. Thomson:** — I'm told they're in the still very early design phase, but they are moving forward with the joint use facility. And it appears the officials, who have much more experience in these projects, seem to feel that things are on track for what we have announced and that should be able to proceed according to plan.

**Mr. Cheveldayoff:** — Thank you, Mr. Chair. A somewhat technical question I guess — and I'm glad to see the officials present — I understand the department has changed the SA-1 guidelines designed to assess the construction of schools. This will see a reduction in the size of this particular collegiate.

How much smaller will it be and is this just cutting a corner to reduce the budget, or is there in fact a reason behind reducing the SA-1s.

**Hon. Mr. Thomson:** — We aren't aware of any changes at this point. But we'll look into that and we'll report back to you on that.

**Mr. Cheveldayoff:** — Thank you, Mr. Minister. As you may be ... as you will be aware, I'm not able to keep up to the day-to-day proceedings of the negotiations and the lobbying that's taking place with the citizens for a northeast collegiate, but that's what I have been informed, so I'd appreciate if you could look into that and get back to me.

Now I wanted to move on to the west side collegiate as well. The funding seems to be the same over a three-year period. I understand there's \$100,000 in this year's budget, 2004-2005, and then one-third of the remaining, and there it says 7 million to \$9 million. Is that indeed still the department's understanding, and is that funding in place?

**Hon. Mr. Thomson:** — These projects are again in very early planning phases and there are a number of issues that still need to be resolved before we have a very clear time frame for them moving forward. But at this point, in terms of the planning process, everything appears to be on schedule.

I can't speak to the situation that the local boards are going through in terms of the number of processes and approvals that they need to get that may impact on the build out. But from the provincial government standpoint, it's our understanding things are proceeding and there would be nothing threatening those projects in terms of impediments at this end.

**Mr. Cheveldayoff:** — Thank you, Mr. Minister. I appreciate your forthright answers. I also, for the record, wanted to indicate the work that the Chair, the member for Saskatoon Sutherland, has done in this committee as well.

Further questioning, and I wanted to turn to elementary schools, I guess, at this point. The area that I represent is the fastest growing area in the city, I believe — or in the province — and it's home to Arbour Creek and Willowgrove, Erindale. Dr. John G. Egnatoff school in Erindale is probably the largest enrolment of any elementary school in the province — close to 700 students occupy that school.

Parents are getting concerned about overcrowding. They're contacting my office. I understand that the number of portables at John Egnatoff right now is the most that can be legally allowed, so there's some concern. And Arbour Creek has been growing at a rapid pace, and now Willowgrove is a brand new area in Saskatoon. The city had anticipated selling about 200 lots in this entire year. The latest information I received, it's 258 lots have been sold in Willowgrove.

(16:45)

So what we have here is a situation where the growth is outpacing the ability of the school boards or the department to move in building new schools. If we look at the northeast school for example, I've been working on the committee for three years; we'll probably see an opening in the fall of 2006. Therefore it takes seven or eight years to see a school come to fruition.

And I'm just somewhat concerned I guess about where we're going to be in a few years from now as far as having schools for elementary children in the Silver Springs area. And I just wanted to see if there's any plans in place from the department to address a very rapid growth in certain areas of the province.

**Hon. Mr. Thomson:** — This is a very good question — a very interesting question that has caused a great deal of interesting discussion among officials.

When divisions tend to look at their capital plans, what they'd look at are the sustainable population for school-aged children in the neighbourhoods. What that tends to mean is that they will build a school for the average number of students over a 30-year period in the neighbourhood. Then what they'll do is add on, as the member has identified, add on portable classrooms to deal with the growth.

There are some neighbourhoods, and particularly as we see urban growth, where the number of school-age children will challenge the model that was in place maybe 20 years ago when the school was first built. What we rely on is the local division to identify their capital needs and then we prioritize them within the provincial context.

It's our understanding at this point that there has not been a change in terms of the capital plan coming forward from the Saskatoon division; that they have decided that their priorities are in fact the colleges where they've identified the pressing need. And that is, as a result, where the funding is.

If they were to change their capital plan, if they were to change their approach, we would weigh that out with all the other capital projects across the province. But I would think it's fair to say from the discussion we've had here, with any of us who have some anecdotal understanding of the area, that what you note is likely true, that we are going to see a larger sustained school-age population in those areas. And so this may cause the Saskatoon boards to come back with a different plan.

**Mr. Cheveldayoff:** — Thank you, Mr. Minister. I know that the five-year capital plan ... that the major capital project request list, I guess, that the Saskatoon Public School Board has put forward, the Arbour Creek elementary school is on that list

for 2006-2007. And I guess what I'm indicating is that the growth may necessitate that that move up, and I anticipate that'll happen with next year's five-year capital plan. And I just wanted for the record to make sure that you and your officials are aware of it, and I can see that you are.

And I just wanted to say that this issue of capital school construction, high schools and elementary schools, is something that transcends political boundaries. I think all members in Saskatoon, certainly the member from Saskatoon Eastview has had input into it and the member from Saskatoon Sutherland and myself. And it's something that we're working together on and we've received very good response from your department whenever asked. So I wanted to thank the minister for that.

And I know a meeting will be taking place on Thursday, May 20 and a lobby group being established; a lobby group to learn and to educate themselves, and also to interact with the public school board and to move things forward.

Thank you for your answers at this time, and I'll ask my colleague from Indian Head-Milestone to continue.

**The Chair:** — I recognize the minister.

**Hon. Mr. Thomson:** — I want to thank the member for his questions. Indeed the department, I think, has worked out over many, many years a very good formula for dealing with the many competing capital needs across the province. And I certainly appreciate the kind words that the member has for the officials, and they're certainly a sentiment that I share as well. This is a very difficult issue; there's always big demands.

I can tell you that representing a neighbourhood that I do that has gone through school closures that you are fortunate to be dealing with the other side to have the pressure of more families moving into the neighbourhood and seeing that revitalization. But these are challenges that get met on both sides.

So I certainly welcome your, the member's continued involvement and his polite prodding and pressure, and that we will continue to deal with this issue appropriately.

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

**Mr. McMorris:** — Thank you, Mr. Chair. Just a couple more questions. Going back to your announcement last week, you had talked about a three phase or ... yeah, a three phase approach, and I've been trying to add them up. I don't know if I've ever got to three yet.

You know, you've talked about, and I think it must be the ... first of all, the commission or the task force to draw a map; the second group to implement the map. But I believe you mentioned something last week about a commission on funding of K to 12, to look at the funding of K to 12, which is more than a little ironic that we just came through the Boughen report. But you also ... I believe you mentioned that last week. Could you expand on that, please?

**Hon. Mr. Thomson:** — What we have looked at is a ... I announced a seven point plan to deal with a number of issues,

but it will take effect over three phases: the three phases being dealing with the restructuring to deal with equity issues; secondly, to deal with foundation operating grant restructuring; and third, to deal with the question of property taxes. There are a number of different components that fit into it.

The issue around foundation operating grant renewal is one that will be largely undertaken internally within the department. Today we operate the foundation operating grant largely as an equalization program to try and balance out inequities in terms of ability to raise money within local districts.

It is my view and the view of the government that we need a simpler program that deals with ... I think today it deals with some 17 different criteria — maybe it's 18 or 19 today, I don't know. It ... (inaudible interjection) ... 17 different criteria to try and balance this out.

The problem with it is it has become ... it has lost some of its simplicity and transparency as it becomes a more refined instrument. It is certainly quite precise, but it is not always easily understood. And so the belief of the department and myself is that what we should look for is a somewhat simpler model that puts more emphasis on per pupil grants, per student grants, still taking into account that we're always going to need to have some transportation factor, some sparsity factor built in to deal with unique circumstances, but to narrow down those 17 to some smaller number.

And really the thinking behind it is that it should be the province's objective, once we have the equity issue largely rebalanced, to start putting money into the system in a way that reflects money per student. So that whether that student is in east end Saskatchewan or in south end Saskatchewan that there is a relatively uniform amount of money that's attached.

Today the province grants about \$3,000 on average to a student. In some districts that means nothing; in one division that means \$12,000 per student. That's too big a spread and what it means is it's very hard for ratepayers to understand how much money is going out of the provincial treasury to fund these. It seems to me that if we attach a certain amount of money per student it's easier to understand that as that student moves from one school to another, the money travels with him.

So it will hopefully deal with a simpler approach. It's going to take us some time to work through the details of it because we'll want to make sure that the model doesn't cause more problems than it attempts to fix. And that's why this will happen as a second phase following on the restructuring.

**Mr. McMorris:** — So the commission will be dealing more with the operating grant. But you did mention at the very end of your seven points or whatever it was, property tax. What are you doing about property tax? Are you setting up another commission like the Boughen? What are you doing about property tax because this is how the whole discussion started seven years ago?

You've done a very good job of explaining everything else that you're doing but you haven't said a word about property tax. What are you doing about property tax?

**Hon. Mr. Thomson:** — Once the restructuring has occurred, it will be much easier to then deal with targeted reduction of property tax. As I indicated earlier, over the last five years \$100 million has gone into the system — 100 million additional taxpayers' dollars out of the provincial treasury — and has not had a discernible impact on the property taxation level.

So there are a number of things that need to happen. One is that we need to try to bring down the inflation rate within the districts. We need to deal with the better affordability model for education, for taxpayers.

We do need to have, I think, more debate about where it is that that balance gets struck between what should be funded by income or sales tax or resource royalties, versus what should be paid for by property taxes. And this is a debate that has divided the province and frankly that I do not see an emerging consensus on.

There are a number of ways we could deal with this issue. We've identified those in the past — whether that's expanding the PST (provincial sales tax) to immediately get \$56 million which would mean a 10 per cent reduction in property tax. We could do it through expanded income tax, although that's the opposite direction that we've taken in just having reduced it again in January.

There are a number of options available. It's going to have to ultimately come down to where the population wants us to move.

One of the issues that I did announce though is that as new money comes on, and if we can get a resolve and when we get a resolve to this ongoing equalization problem, when we get the same deal for Saskatchewan that Atlantic Canada has on their oil revenue, that we will share 30 per cent of that back to deal with property tax relief.

But let me also offer this caution. And that is that when Mr. Boughen, Commissioner Boughen, presented his report he suggested that in order for us to do that, that we should freeze the access of school divisions and municipalities to the property tax base for a number of years. In his case he recommended three years that we freeze their access.

This would significantly change the relationship that we have with municipalities, to actually drive in tax reform in that regard, and would require us as a legislature to step in and provide some mechanism for the minister to sign off on property tax increases. We do not have that authority, that legal framework, today and indeed, I'm not sure and I have not heard from the School Board Association or municipal leaders any real appetite for the provincial government and the minister to have that authority to set mill rates. So this would be a significant change if we were to move to that.

The problem is as we add more money in, the system simply expands; we need to figure out a way to deal with that so that money actually goes to relief. Whether that is a different format — we'd be going back to a rebate — whether that has us using, as Mr. Boughen suggests, and putting a cap on or a sign-off, a ministerial sign-off, we're still a long ways off from having that resolved.

What we are prepared to say is that as new money comes in from the ongoing equalization relief that we expect Ottawa will agree to, that we're prepared to make 30 per cent of that available directly for property tax relief.

**The Chair:** — I recognize the Government House Leader.

**Hon. Mr. Van Mulligen:** — Mr. Chair, I move that the committee report progress on the estimates for the Department of Learning.

**The Chair:** — The Government House Leader has moved that the committee report progress on the estimates for the Department of Learning. Is that agreed?

**Some Hon. Members:** — Agreed.

**The Chair:** — That is carried. It now being . . . Oh, and the member would like to thank the officials.

**Mr. McMorris:** — Thank you, Mr. Chair. Yes, I would like to thank the officials for the time spent here today. I think we will have many more questions after today and look forward to the next couple of one and a half hour sessions that we have coming up. Thank you.

**The Chair:** — I recognize the minister.

**Hon. Mr. Thomson:** — I too would like to thank the officials. Obviously when we deal with major policy areas there is always some good debate back and forth, but it really does come down to the quality of the advice that we get from the officials in terms of the technical answers that we can give. So I do too want to thank them for their time today.

**The Chair:** — It now being exactly 5 p.m., this House stands recessed until 7 p.m.

The Assembly recessed until 19:00.



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