

The Assembly met at 2 p.m.

Prayers

## ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

**Mr. Goulet:** — Mr. Speaker, I would like to present a petition on behalf of Marlene Joyce Crate. And, Mr. Speaker, this is her last chance for justice.

The petition of the undersigned, Marlene Joyce Crate of the city of Winnipeg, Manitoba, humbly sheweth:

That the petitioner was injured in an accident on the 21st day of June in 1981 in the province of Saskatchewan, which injury petitioner believes was caused by the negligence of Ronald Morin and Alexander Delaronde, both of the city of Flin Flon in Manitoba;

That the petitioner negotiated personally and without the aid of a lawyer, with an adjuster from the Manitoba Public Insurance Corporation for a period of over one year following the date of the accident;

That the petitioner was subsequently informed that under the provisions of section 180(1) of The Vehicles Act RSS 1978 chapter v-3 and as amended by section 143(1)(a) of The Vehicles Act 1983.

**The Speaker:** — Order. I've been listening to the hon. member's petition and in presenting petitions, the hon. member's asked to state only the essence of the petition, which means the prayer and then you present it.

**Mr. Goulet:** — I guess, Mr. Speaker, the essence is, that the extension of time had run out for the . . . (inaudible) . . . So I'll read, therefore, the final paragraph:

Wherefore your petitioner humbly prays that your honourable Assembly may be pleased to extend the time for filing a statement of claim against Ronald Morin and Alexander Delaronde in the Court of Queen's Bench for Saskatchewan until December 31, 1990.

And as in duty bound your petitioner will ever pray.

### INTRODUCTION OF GUESTS

**Mr. Britton:** — I see, Mr. Speaker, I still have my friends from the other side.

Mr. Speaker, in all seriousness, I would like to introduce to you, and through you to the rest of the members assembled, 25 grade 7 students from the Dr. Perry School here in Regina. And I'm doing this on behalf of my colleague from Regina South.

I will be meeting with these students at about 3:05 and

we will have some refreshments and probably some questions. And I would ask all members to help me welcome these people in the usual manner and wish them a safe journey home.

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

**Hon. Mr. Wolfe:** — Thank you, Mr. Speaker. You can see it didn't take the member from Wilkie long to get his seat back.

Mr. Speaker, I'd like to introduce to you and to all the members of the Assembly some members of the Saskatchewan Association of Speech Language Pathologists and Audiologists. Today with us are the president, Lynn Bateson — they are seated in the Speaker's gallery — and with her is Kelly Richter, who is the chairperson of the legislative committee. And there are some 12 other members.

Mr. Speaker, I'd ask all members of the Assembly to welcome these worthy professionals to the Assembly. They are here today to hear second reading of the legislation to give them professional status.

Mr. Speaker, I ask everyone to welcome these guests.

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

**Hon. Mr. Lane:** — Thank you, Mr. Speaker. It is with a great deal of pleasure that I introduce to you and to members of the Assembly some 16 grade 3 students from Saar School in Kronau. They are accompanied by their teacher, Miss Shirley Drever; chaperons, Sheila Fahlman and Mr. Bob Jackson.

Mr. Speaker, we all know that Kronau is the curling capital of Saskatchewan. I don't know how many potential junior champions will be in the grade 3 class, or national champions, but I'm sure there will be some representatives over time based on the past history of that community.

So, Mr. Speaker, I would ask all hon. members to join with me in welcoming the grade 3 students. I will meet with them after question period. Thank you, Mr. Speaker.

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

**Mr. McLaren:** — Thank you very much, Mr. Speaker. It's indeed a pleasure for me today to introduce some more students that have come to Regina and the Assembly from outside our province. There are 16 grade 7 and 8 students from the St. Lezaire École in St. Lezaire, Manitoba.

We welcome you here this afternoon — they're in the west gallery, Mr. Speaker — and we hope that you will enjoy the proceedings of the Assembly. Thank you for coming to Regina and the Assembly to be with us today.

I would just like to wish everyone good luck in your exams this year, and have a good, enjoyable, and happy holiday. And I'll meet with you on the steps of the legislature around 2:30 to answer any questions that you might have. And I would ask all members, Mr. Speaker, to

welcome these students from St. Lezaire, Manitoba, with us today.

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

## ORAL QUESTIONS

### Population Drop in Saskatchewan

**Mr. Romanow:** — Thank you very much, Mr. Speaker. My question today, in the absence of the Premier, is to the Deputy Premier. And, Mr. Speaker, it stems from the fact that the Statistics Canada people have recorded the population drop in Saskatchewan to the point now where we are below 1 million for the first time in six years; and also that for the period of January to March of this year, we were the only province or territory in all of Canada in which to show a drop in population.

Now, Mr. Speaker, we believe that the major cause for this is the government's policies of megaproject financing and privatization. My question to the Deputy Premier is: will you admit that these statistics are chilling and point out a very serious situation? And if so, will you indicate to the legislature that this government will at long last abandon its wrong-headed policies which have led to this catastrophe?

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

**Hon. Mrs. Smith:** — Mr. Speaker, if the Leader of the Opposition suggests for a moment that it is due to the policy for the population decline, I would ask on the other hand, is the Leader of the Opposition ready to admit it that in fact it was the policies under this government that took the population of Saskatchewan well over the 1 million mark in about '84-85?

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

**Hon. Mrs. Smith:** — Same old thing. You can't have it both ways, Mr. Speaker. I think in fact, Mr. Speaker, there is need for concern when the population does go down. The Leader of the Opposition and myself would both agree on that. I believe it is incumbent upon any government or any Assembly within a province, when their population declines, to take a look at the reasons why. Those sectors in fact where it's been happening and the Leader of the Opposition will recognize the difficulties with the agriculture sector.

Mr. Speaker, we have said that we need to diversify. We need some stabilization within the agriculture community plus diversification. We've seen the announcement of diversification with several projects coming on that in fact will hold this province in good stead in the future, population-wise and job-wise, Mr. Speaker.

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

**Mr. Romanow:** — Thank you, Mr. Speaker. A new question to the Deputy Premier. The Deputy Premier indicates, Mr. Speaker, that conditions beyond the control of this government are to fault for this precipitous drop. And I point out to you, Mr. Speaker, that in the case

of Manitoba and Alberta, also heavily dependent upon farming and agriculture, they did not drop.

I draw to the attention of the Deputy Premier that in the Maritime provinces, the population did not drop. I draw to the hon. minister, the minister of economic development, that no province and no territory in all of Canada except Saskatchewan has dropped. Combined with cut-backs to education, thereby cutting back opportunities for our young people, the situation is disastrous.

Now look, Mr. Speaker, I want to ask the Deputy Premier this question: why don't you people simply stop trying to blame everybody else and anything else, understand the facts which are here before us in the province of Saskatchewan and get on with the new long-term economic game plan that makes sense and gives results, not the current situation.

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

**Hon. Mrs. Smith:** — One would assume that the Leader of the Opposition would know, Mr. Speaker, that of all the arable land in Canada, 43 per cent of it belongs in this province — 43 per cent out of the whole of Canada.

Mr. Speaker, that tells you the reliance that this province has on agriculture. We have stated many times that a firm economic development policy that is going to serve this province and its people well, Mr. Speaker, into the future is going to have to look at diversification into manufacturing, into the processing of its raw materials, and into the processing of food. Mr. Speaker, we have been active in doing that and we will continue that in the future.

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

**Mr. Romanow:** — Mr. Speaker, I have a new question to the Deputy Premier, and quite frankly, Mr. Speaker, I must say that her answer can only be one of little comfort for the people of the province of Saskatchewan, because she says that they're going to continue with more of the same.

And more of the same means, as the statistics show, bankruptcies at a highest rate ever, housing starts down at the lowest rates ever, fewer jobs created at the lowest — this is a precipitous drop — the credit worthiness of the province of Saskatchewan going right down to the bottom line, and this Deputy Premier says, we're going to continue to give the people of the province more of the same.

Mr. Speaker, my question to the Deputy Premier is: in the face of all of these statistics, in the face that other provinces have been able to manage, without waste and incompetence, in the face of the fact that this is the only jurisdiction in all of Canada which has shown these massive indicators of economic failure, why you can't you do at least the right thing and acknowledge you've made a mistake, you're doing the wrong things and change your policies and change your ways. Why not do that?

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

**Hon. Mrs. Smith:** — Mr. Speaker, it's interesting to note, despite the difficulties that we have had with agriculture, despite the weather, despite low prices, the markets right around the world, that our population is still over a million. Now, Mr. Speaker, if we had have not made an effort to look at diversification, I'd venture a guess that we would be well below the million mark without job opportunities; for instance on pulp mills, Meadow Lake, the Prince Albert situation, the upgrader in Regina, the upgrader that is beginning in Lloydminster, plus a lot of the other smaller plants.

I think of one in my own constituency, Mr. Speaker, and that's Threadfast, which has expanded several times over the last few years. Our manufacturing base is up 600 per cent, Mr. Speaker, and we believe firmly that we must continue the diversification efforts, like the Saskatchewan fertilizer plant and other plants; that as it pertains to agriculture and the processing of food, Mr. Speaker, can only in fact get us on that level where we will be competitive with the other provinces in Canada.

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

#### By-Elections in Saskatchewan

**Mr. Hagel:** — Mr. Speaker, I direct my question as well to the Deputy Premier in the absence of the Premier. Madam Deputy Premier, the facts speak for themselves: employment down 5,000 last year, the only drop in all of Canada; the end of the year, our labour force shrunk by 14,000, the only drop in all of Canada. Bankruptcies are up all across the piece, Madam Deputy Premier. And then you have the credit ratings of this spring from three different credit rating companies, Madam Premier.

In eight years, in eight years of this government, the only people who seem to have prospered are the Cargills and the Pocklingtons and the Childers of the world, and no job creation program for our young people in the budget of this year, Madam Deputy Premier.

And I say to you, when you say that the people of Saskatchewan support your government's efforts to get the economy going, I say that people can't support what isn't there; they can't support what isn't there. And so I ask you, Madam Deputy Premier, why not put it to the test? Why not put it to the test?

There are two vacant seats in this Assembly. At the end of this month, there will be another one. Why not go to the people of Indian Head-Wolseley and the people of Kindersley and the people of Turtleford and see if they're satisfied with your performance? Madam Deputy Premier, why not let the people decide?

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

**Hon. Mrs. Smith:** — Mr. Speaker, I believe that the people of Saskatchewan have clearly said, and will continue to say, that this province must diversify its economy and its resources so that we are no longer solely reliable on agriculture for the future. You know, the member from Moose Jaw has mentioned the fertilizer

plant and a few other things. You know, he says, quit doing this, but he totally ignores some of the other things that have taken place.

How about Phillips Cables in Moose Jaw? What does the member feel about that?

But he doesn't talk about those jobs, those jobs factors, and in fact, Mr. Speaker, that have helped to move away from agriculture into the manufacturing — Babcock and Wilcox to Melville, Threadfast in Swift Current. Mr. Speaker, there are dozens of those smaller units around the province, and we will continue to put the emphasis on that.

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

**Mr. Hagel:** — Madam Deputy Premier, let me repeat my question. You appear to have ignored and chosen not to have heard it. Madam Deputy Premier, there are two vacancies in this House. There will be another one at the end of the month. Madam Deputy Premier, why not let the people of those three constituencies exercise judgement in your government? Why not go to the people and let the people decide for the province of Saskatchewan, Madam Deputy Premier?

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

**Hon. Mrs. Smith:** — Well, Mr. Speaker, is he truly worried about the population loss? Is he worried about job opportunities? Or what's he worried about? Election campaigning? If he's worried about an election, he's going to have to sit and stew a little while longer because that is up to the Premier to make that call, Mr. Speaker.

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

#### Occupational Health and Safety for Government Employees

**Mr. Pringle:** — Thank you very much, Mr. Speaker. Mr. Speaker, my question is to the Minister of Labour and it concerns your recent statements declaring this Occupational Health and Safety Week. In a June 4 press release you stated:

Safety is everyone's responsibility. The costs of occupational accidents and disease are immeasurable in terms of human suffering and financial loss.

The release went on to say, Mr. Minister:

The minister challenged all employers, employees and occupational health and safety committees to put the highest priority and commitment on improving work place safety, not only during Safety Week but throughout the year.

Nice sentiments, Mr. Minister, but can you tell this House, do they apply to your government the same as to any other employee or employer in the province?

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

**Hon. Mr. Schmidt:** — Mr. Speaker, the Government of Saskatchewan has an excellent safety record, excellent safety programs. In addition we are currently hiring an additional six occupational health and safety officers in Saskatchewan. Everything that can be done is being done. That doesn't mean that there aren't accidents from time to time, and we have to learn from those.

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

**Mr. Pringle:** — Thank you very much, Mr. Speaker. A new question. Mr. Minister, your poor record in occupational health and safety was demonstrated in last week's estimates, so the people of Saskatchewan know differently, Mr. Minister.

Mr. Minister, I have here a submission by the Department of Justice for operations at the Regina Correctional Centre in the fiscal year 1991-92. Now this proposal suggests that correctional centres, as a cost-cutting measure, be exempted from occupational health and safety laws in this province — that they be exempted, Mr. Minister. Now why do you feel that employees of your government should be entitled to less protection on the work place than what other employees in the private sector?

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

**Hon. Mr. Schmidt:** — Mr. Speaker, what exemption? My department has ruled against the government in their preliminary ruling on this matter. So I say, what exemption? What nonsense. Stop bringing such garbage to the Assembly. Didn't my department rule against the Department of Justice? I cannot help it if the Department of Justice is not happy with that ruling. That will have to be worked out between them, but don't bring in garbage like this of proposal from Justice. The ruling is public and it's quite clear.

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

**Mr. Pringle:** — Mr. Minister, a new question, Mr. Speaker. You're calling the . . . your colleagues' proposal trash, Mr. Minister, garbage. That's what you said. Now if you don't agree with his action, you should talk to him and get things sorted out in your cabinet.

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

**Mr. Pringle:** — Now, Mr. Minister, given your sentiments expressed in the June 4 news release, could you tell this House what cost your government puts on the injury or death of a corrections worker, and how that relates to the money you hope to save by this action?

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

**Hon. Mr. Schmidt:** — Mr. Speaker, the NDP are here in the House today on a matter that is being discussed between the union and the employer: the Department of Justice. They are here on a matter that has already been ruled on by my department. What the NDP are doing here in the Assembly is they are trying to do the bargaining on behalf of the union here in the Assembly when it should be done at the negotiation table.

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

**Mr. Pringle:** — New question, Mr. Speaker. What we're trying to do is we're trying to expose that there's a difference between what you say and what you practise. That's the point here.

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

**Mr. Pringle:** — And, Mr. Minister, this is a classic case. While you talk about the need for attendance to work place safety, your government is preparing in this report to put corrections staff in a precarious position by cutting staff, and then by exempting the centres from occupational health and safety legislation. Now that's what you're attempting to do.

That, Mr. Minister, is blatant hypocrisy, and I wonder how you can explain it to the workers at the correction centres.

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

**Hon. Mr. Schmidt:** — Mr. Speaker, the NDP is a mouthpiece for the union, and this proves it.

#### **Saskatchewan Commission on Directions in Health Care**

**Ms. Simard:** — Thank you, Mr. Speaker. My question is to the Associate Minister of Health, in the absence of the Minister of Health.

Mr. Associate Minister, last week Mr. Walter Podiluk, the vice-chairman of the Murray commission or the executive director, and your former deputy, as I understand, spoke to a meeting of the Regina Community Clinic. And he strongly defended the commission's recommendation to establish 15 regional boards across the province.

Can the associate minister tell this House today whether or not Mr. Podiluk is representing the government, and whether or not the government is now prepared to accept that recommendation in the report?

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

**Hon. Mr. Wolfe:** — Mr. Speaker, as I've said before, it amazes me to no end how the opposition critic is so amazed by the commission's recommendations.

Mr. Speaker, we've said time and time again that the report is available to the public. The report has been made available to all the health care groups across the province — some 480 or 500 boards. We've given them some time and we're going to give them some more time to look at the report and get back to us to have them express their feelings to us.

This morning, Mr. Speaker, we had the opportunity to meet with the Saskatchewan Hospital Association. They've had a chance to look at the report but they need more time to study that report, as do most of the other groups around the province. It's an extensive report that speaks to health care, not only for today, but for the future. It will take time to look at it.

Mr. Podiluk was a member of the commission and continues to work for the commission, as you're probably aware. Mr. Podiluk is presently looking at the centres of excellence in Saskatoon.

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

**Ms. Simard:** — New question, Mr. Speaker. What amazes me, Mr. Associate Minister, is the fact that you have absolutely no opinion on a matter that has been discussed extensively across this province over that last two years.

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

**Ms. Simard:** — But then, Mr. Speaker, I shouldn't be amazed because it is so typical of this government. First they form a commission to address what they perceive to be problems in the health care area, and then they don't even know if they're going to listen to their commission. No wonder Saskatchewan people don't believe that you will follow any of the recommendations of Consensus Saskatchewan.

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

**Ms. Simard:** — Mr. Minister, Mr. Associate Minister, you must have your own opinion, and the public has the right to know. Now will you tell this House today whether or not you personally support that particular recommendation of the commission? Let us know, Mr. Associate Minister.

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

**Hon. Mr. Wolfe:** — Mr. Speaker, we have said time and time again that this is an extensive report. It took two years to put it together. There is people from across the province that had an opportunity to make representation to the report. These groups and all the groups, Mr. Speaker, around the province will need time to study the report, to give it the justice that it deserves. They've asked for time and we will give them that time, Mr. Speaker.

We know all about the opposition member. We all know about the opposition's critic — you know, eagerness to respond and eagerness to criticize. The report wasn't even made public in a proper manner and the opposition critic had condemned it, Mr. Speaker.

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

**Ms. Simard:** — New question, Mr. Speaker. Mr. Associate Minister, your government is being totally unfair to the people of this province. All over Saskatchewan, concerned citizens are raising money to help pay for health care facilities in their community and they don't know whether or not your government intends to take the ownership of these health facilities away and put it in a regional board à la the Murray commission.

And if it is your intention to change the rules on these people, why not show your true colours at this point? Show some courage. Tell them now so that they'll at least know what rules they're playing under, Mr. Associate Minister.

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

**Hon. Mr. Wolfe:** — Mr. Speaker, the opposition critic talks about unfairness, and I would really like to speak to that at this time. If we really want to talk about unfairness, what would be more unfair than to take a stance, to take an immediate stance on a commission's report that deals with health care in this province? We have one of the best health care systems in the whole world, Mr. Speaker. We will make sure that it's one of the best health care systems in the whole world.

We've said that we will take time to consult, Mr. Speaker, and we will take time to consult. It will be fair. We will take that time to make sure that it's fair. We will not take the kinds of tactics that the opposition has: mediscare, politics, scare, fear tactics, Mr. Speaker. We refuse to do that, Mr. Speaker. We refuse to do that.

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

### Environmental Impact Study on Cargill Fertilizer Plant

**Mr. Tchorzewski:** — Thank you, Mr. Speaker. I have a question directed to the Minister of the Environment. Mr. Minister, in the *Star-Phoenix* in the editorial recently, dealing with the Cargill fertilizer plant, the editorial said the following:

. . . the real purpose of the study is to allow the government to backtrack, ensuring that all its environmental bases are covered.

Regarding your recently announced environmental impact study — after the fact. It went on to say that:

The reliability of this study is also in question — its premise seems concocted to ensure the project goes ahead, no matter what the environmental outcome (might be).

Saferco, Mr. Speaker, and Mr. Minister, has said, "much more detail will be contained in the new impact study," admitting that the old study was inadequate.

So I ask you, Mr. Minister, in light of this, why did you authorize construction of the Cargill fertilizer plant when the study which was provided to you by Cargill in the first place was inadequate, and you shouldn't have been able to authorize it based on the information they provided?

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

**Hon. Mr. Hodgins:** — Mr. Speaker, the member opposite will hold up one editorial in one newspaper, and I respect that that does represent one man's opinion.

I want to reaffirm, Mr. Speaker, what the decision was and what the decision-making process was all about. The detailed proposal — 70 pages, detailed proposal tabled in the legislature — that was submitted to our department, we found to be acceptable, Mr. Speaker. We found that the project was safe environmentally and that a very thorough review had taken place. Mr. Speaker, that was to the satisfaction of the ministers involved. It was to the

satisfaction of the department, and we found it acceptable.

Mr. Speaker, I have already stated that in general terms we want to make certain that all people have input into the process. Concerns were raised in the general sense of the word — no specific concerns, but in a general sense of the word — about the process which is currently under review and will be changed. And, Mr. Speaker, to ensure, ensure that all people felt overly comfortable with this project, Mr. Speaker, we have asked the company, who has voluntarily submitted to a thorough analysis of the project.

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

**Mr. Tchorzewski:** — Mr. Speaker, a new question to the minister. Mr. Minister, I have looked at the documentation which you provided which was selectively chosen and incomplete and inadequate. That documentation which you tabled in the House showed that with regard to nitrous oxide emissions, it was a best case scenario, Mr. Speaker, Mr. Minister — hardly a justification for approval.

It showed that with regard to concerns by the water quality branch of your department and waste management sections, they were not satisfied with the information contained in the final report.

None of the responses to those concerns and several others was provided in the information which you tabled, Mr. Minister. How can you therefore justify approving the construction of this plant and then finally — after the facts, just as in Rafferty — asking for an environmental impact study when the plant's already being constructed, Mr. Minister. How can you justify that?

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

**Hon. Mr. Hodgins:** — Mr. Speaker, the hon. member uses the words “selectively taking information out of a report.” Mr. Speaker, I submit that the hon. member is selectively taking information out of the report that has no fundamental basis in fact, regarding environmental problems.

Mr. Speaker, I have already stated, this has gone through a thorough review, but it will go through a more thorough review as part and parcel of that agreement. If there are real concerns, genuine concerns brought up, Mr. Speaker, I have the authority and I commit to you that that project will stop. If there are changes that are required, Mr. Speaker, those changes will be made.

But thus far, Mr. Speaker, the opposition has not brought up one, not one, single, specific environmental concern, Mr. Speaker. It's pure politics. It has nothing to do with the environment.

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

## ORDERS OF THE DAY

### GOVERNMENT ORDERS

## SECOND READINGS

### Bill No. 45 — An Act to amend The Land Titles Act

**Hon. Mr. Lane:** — Thank you, Mr. Speaker. The Land Titles Amendment Act, 1990 will introduce several amendments to that Act which are required to adjust perceived shortcomings in the existing legislation. Each amendment addresses a specific issue and the changes being made are not interdependent.

One amendment will address a problem which has arisen as a result of the high number of Saskatchewan farmers who have chosen to exercise their right of first refusal under The Saskatchewan Farm Security Act. This amendment will provide for the withdrawal of writs of execution against specific land owned by farmers in order to facilitate settlements under The Saskatchewan Farm Security Act without forcing disclosures. Writ-holding creditors will now be able to provide clear title on a farmer's property, which is to be voluntarily transferred to his mortgagor pursuant to a settlement agreement, without losing the effect of that writ on the land in the case of a right of first refusal repurchased by that farmer.

This amendment will facilitate settlements between farmers and lenders by removing a significant impediment to co-operation which currently exists between mortgagors and writ-holding creditors.

In another area, a change made to the Act in 1987 to accommodate financing for the NewGrade project will be made a general concept of the Act. That provision states that a right to enter upon land in order to sever and remove fixtures attached to the land is an interest in the land to which the fixtures are attached. It will therefore be possible to register a caveat to protect this interest.

The proposed amendment is consistent with a resolution passed in 1989 by The Law Society of Saskatchewan requesting the provision be expanded for the benefit of all persons using the land title system.

In order to facilitate the rural gasification program, another amendment will provide a statutory right of way for SaskEnergy's rural gas distribution lines as an implied condition on certificates of title outside of urban municipalities. This amendment will ensure that easements for pipelines for the rural gasification program will not have to be registered. The provision is similar to an existing provision exempting SaskPower from registering easements for the rural power distribution program. The amendment will assist the rural gas distribution program by keeping the cost at the present level.

Another amendment will provide that an owner of land or other person who claims an interest in land and who wishes to remove a caveat on that land is required to notify the caveator of the intent to lapse the caveat. Presently the land titles offices must send these notices out.

As a result of the proposed change, those with an interest in removing the caveat will be responsible for this step in the process. This approach is consistent with similar

amendments to the tax enforcement procedure in 1987.

A provision will also be added to The Land Titles Act to clarify that easements for portions of pipelines that were obtained by expropriation can be mortgaged for financing purposes.

This amendment complements an existing provision in The Public Utilities Easements Act which provide that easements obtained pursuant to an agreement can be mortgaged.

This amendment will benefit pipeline companies by ensuring that they have legislative authority to mortgage the easements respecting the entire length of a relevant pipeline.

Finally, an amendment will be made to allow for the transfer of caveats between parties without a loss in priority and without requiring the registration of a new caveat following the change of ownership of an interest in land.

Under the existing system, no transfer of caveat is possible. Upon a change in ownership of an interest in land, which is evidenced by a caveat, it is necessary to file a new caveat for that same interest. This has led to an unnecessary proliferation of caveats in title, as well as an unnecessary expense for those individuals whose interests are protected by that caveat.

Mr. Speaker, I move second reading of An Act to amend The Land Titles Act.

**Mr. Koskie:** — Thank you, Mr. Minister . . . Mr. Speaker, rather. I want an opportunity to take a look at this Bill. It was only printed, I believe, on Friday. And as a consequence, I think it's only right that we have an opportunity to have a look at the . . . and also to get some legal interpretation in respect to it. And therefore I beg leave to adjourn the debate at this time, Mr. Speaker.

Debate adjourned.

**Bill No. 47 — An Act respecting the Saskatchewan  
Association of Speech-Language Pathologists and  
Audiologists**

**Hon. Mr. Wolfe:** — Mr. Speaker, I'm pleased to explain the intent of The Speech-Language Pathologists and Audiologists Act, 1990, which will provide for the regulation of speech-language pathologists and audiologists in this province.

Previous to this Act, speech-language pathologists and audiologists were not regulated in this province. This legislation will ensure the public receives services from qualified professionals. These professionals have demonstrated the maturity to manage the affairs of their own profession.

Mr. Speaker, this Act will allow the Saskatchewan Association of Speech Language Pathologists and Audiologists to register, set standards of conduct for, and discipline their members. The Act is consistent with legislation for other regulated health care professions in

the province, and I'd like to outline some of those features.

Mr. Speaker, it will be mandatory for all those who provide services as a speech-language pathologist or audiologist to be registered with the association. The term "speech-language pathologist," "audiologist," and similar titles are reserved for qualified practitioners under this Act. These clauses will protect the public from receiving services from unqualified practitioners.

The Act also specifies that up to two public representatives may be appointed to the council of the association by the Lieutenant Governor in Council. This type of public participation by members of the public is of benefit to the association as well as to the public.

Speech-language pathologists and audiologists will be responsible for registering their own members. The Act will ensure that those professionals currently entitled to practise as speech-language pathologists or audiologists are eligible to become members.

Mr. Speaker, the Act provides the association with the power to make by-laws. However, consistent with other regulated professions, by-laws that could potentially impact the public require the approval of the Minister of Health before taking effect.

The Act ensures that public complaints about incompetence or misconduct are acted upon in an effective manner. The discipline provisions of the Act outline the manner in which complaints are investigated and discipline hearings are conducted. The complainant shall also be informed of the outcome of the association's actions upon a complaint.

To assist in protecting the public, employers will be required to report to the association dismissals of speech-language pathologists and audiologists for reasons of misconduct or incompetence. The association can then take the appropriate disciplinary action. The Saskatchewan speech-language pathologists and audiologists association has been fully consulted on the Act and looks forward to taking on their new regulatory responsibilities.

Mr. Speaker, I'm pleased to move second reading of The Speech-Language Pathologists and Audiologists Act.

(1445)

**Ms. Simard:** — Thank you very much, Mr. Speaker. I would like to take this opportunity to welcome the speech and language pathologists and audiologists who are present here today. I was not aware that they were coming in. We had not been advised. But I'm really pleased to see them taking such an interest.

I will be very interested in considering further the comments of the Associate Minister of Health. We have raised the issue of speech and language pathologists — the shortage in the province — on numerous occasions with the government, recognizing that there is a drastic shortage and that steps should be taken to increase the numbers of speech and language pathologists and

audiologists in the province, Mr. Speaker.

I am wondering whether this Bill addresses that particular issue. We just received the Bill on Friday, the printed Bill, I should point out. I've been through it once, Mr. Speaker, but I have not had an opportunity to review it in detail. We have managed in that period of time to touch base with the professional association and I understand that they're pleased with the legislation. So that goes a long way in assisting us in making a decision as to whether or not we'll support the legislation, but I do need an opportunity to review it in more detail. I can't just take a look at it and say, let it go.

So I am going to ask for an adjournment on this matter and hopefully we can bring it up once again in the very near future.

Debate adjourned.

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 29

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Swenson that Bill No. 29 — An Act to amend The Crown Minerals Act be now read a second time.

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

#### Bill No. 7

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lane that Bill No. 7 — An Act to amend The Intestate Succession Act be now read a second time.

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

#### Bill No. 8

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lane that Bill No. 8 — An Act respecting the Survival of Certain Causes of Action be now read a second time.

**Mr. Koskie:** — Thank you, Mr. Speaker. I want only to make very brief comments in respect to it. And this Bill here has been essentially drawn up by the Law Reform Commission who have looked at some of their difficulties in respect to the survival of certain causes of actions. And they basically made four recommendations in the Bill that has been brought forward by the minister.

The Law Reform Commission indicated four basic principles, as I said. First of all, that an action should survive the death of a victim, whether or not the death resulted from injuries inflicted by the wrongdoer; secondly, the estate should not have a claim for non-pecuniary loss of the deceased; and third, an estate should not have a claim for loss of future earnings of the

deceased; and four, an action should survive the death of the wrongdoer but a claim for exemplary damages should not survive unless it's a purpose to strip the estate of profits of wrongdoing.

Those are the four basic principles that were set forth by the Law Reform Commission. They have supported their recommendations by a considerable amount of research and case law in drawing up the Bill. This Bill then reflects that which the Law Reform Commission have drawn and we are in support of the general thrust of the Bill, Mr. Speaker.

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

#### Bill No. 39

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lane that Bill No. 39 — An Act respecting Summary Offences Procedure and Certain consequential amendments resulting from the enactment of this Act be now read a second time.

**Mr. Koskie:** — Thank you, Mr. Speaker. We've had an opportunity to review in some detail the new summary procedures . . . or The Summary Offences Procedure Act and has had been indicated by the minister, it really re-enacts two procedures: a summary procedure under the Criminal Code and the present system under The Highway Traffic Act for a summons.

The Act essentially puts in place a new procedure which is called the notice ticket summary procedure, and the significance of this is that a number of acts, a number of offences, are going to be designated that will be commenced in accordance with the new procedure.

The one difficulty that we have in dealing with it in specific is that the offences which are going to come under the offence notice ticket summary procedure method have not been set out in regulations. It is generally indicated that they will relate to highway traffic offences, and we agree in respect to the problem that we have had in enforcing summonses or previously of highway traffic offences. I am told that a large number of highway traffic offences, individuals have been charged and have neglected or refused to pay their fine; and as a consequence, there are a large number of warrants outstanding for those offences.

The essence of this is to really put in a new procedure that in the event that the fine is not paid, that the licence or the driver's licence may be refused to be renewed. They have, I guess, put this into place in several of the other provinces of Canada and it has been deemed to be fairly effective.

There are a couple of questions in respect to the enforcement. We find now that anyone with a traffic ticket violation can voluntarily pay their fine. If they don't, then there is a surcharge for late payment which is going to be set by regulations. We don't know exactly or precisely what amount of charge that is, and we will be asking the minister to clarify that because it's also set by regulations. They indicate that it's somewhere in the



neighbourhood of 20 to \$30 for a late payment of a ticket, a voluntary fine.

It goes on to indicate that in the event that that's not paid, that the next step that can be taken is that there be no renewal of a driver's licence unless that fine is paid.

There is going to be a very significant amount of additional revenue raised, and certainly I think that if there is additional moneys raised either by late payment charge and/or by the greater enforcement, I think that a part of this should be further driver training, and law-abiding driving procedures should be a part of the government's thrust as well as the collection of fines.

Basically we are in agreement with the legislation, Mr. Speaker, and accordingly, we are prepared to allow this to go to committee.

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

### Bill No. 42

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lane that Bill No. 42 — An Act respecting the Legal Profession, the Law Foundation and the Law Society of Saskatchewan be now read a second time.

**Mr. Koskie:** — Thank you, Mr. Speaker. Just a few brief comments in respect to the new legal professions Act.

I understand that it is in general agreement with the lawyers as to the new Act. There are a number of positive changes that we concur with. It indicates that the governing body of the legal profession, the benchers, will now have two lay persons that will be appointed by the Lieutenant Governor in . . . or by order in council.

It also indicates that in respect to the discipline of members — and I think it would be a welcome addition to the general public — that the legal . . . the benchers now may discipline members, and it's not confined solely to the conduct unbecoming of a barrister and solicitor, but the new Act enables the benchers to deal with the issue of competency. And I think this is the recommendation of the benchers and I think a general approval of the law society. I note also that there's some adjustment in respect to fines which I think is in concurrence with the legal profession of Saskatchewan.

Generally we are in agreement with it, Mr. Speaker. We're prepared to allow this to proceed to committee.

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

### Bill No. 33

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Neudorf that Bill No. 33 — An Act respecting the Administration of Young Offenders' Services be now read a second time.

**Mr. Prebble:** — Thank you very much, Mr. Speaker. Mr.

Speaker, this is basically enabling legislation to allow the government to run existing young offenders' programs. Some of this legislation and the authority to run these programs, which have been in effect now for at least seven years in Saskatchewan, previously existed under The Family Services Act.

And, Mr. Speaker, basically we support this Bill. I want to raise a few concerns that we have about the Bill in terms of general principles that are established in the Bill.

And, Mr. Speaker, I might say that the first is that . . . If I might make a comment on the government's general record in the area of young offenders as it pertains to this Bill, Mr. Speaker, one of the things I think it can be safely said is that the government has basically put most of its resources, Mr. Speaker, into the young offenders' programs as they are generally perceived by the public, in effect, open or closed custody of young offenders. In many cases, Mr. Speaker, the case of closed custody of course in effect we're talking about a jail for people under the age of 18 years.

And, Mr. Speaker, I think the government has put very little resources into what I would describe as preventive programming. And I'm thinking here, Mr. Speaker, of identifying — as the government is entitled to under the federal legislation — identifying young people who are at risk in terms of breaking the law, and working with them to ensure, Mr. Speaker, that they get their lives in order and that they don't run into problems with the criminal system. Or, Mr. Speaker, identifying young people who've had a brush with the law but haven't gotten into serious trouble, and again giving them the same kind of assistance.

Because, Mr. Speaker, the record with respect to the fact that it's relatively easy to identify young people who are likely to get into trouble with the law, is pretty clear. People who are in the school system and in the justice system who are working with these young people, are usually able to identify young persons who are likely to return and likely at some point to be imprisoned, Mr. Speaker, if corrective action isn't taken. And yet the government has put very limited resources into that kind of preventive programming.

(1500)

Similarly, Mr. Speaker, the government has failed to implement a system of youth justice committees that it is entitled to under the federal legislation. And I was looking for some sign in this Bill, Mr. Speaker, that they might, as they are entitled to under federal law, implement a system of youth justice committees in the province of Saskatchewan.

The province of Manitoba, for instance, Mr. Speaker, has done this very effectively. And these are volunteer committees, Mr. Speaker, that are set up in Manitoba, of people who are concerned about the future of young people who are having difficulty with the law and getting into trouble, and who work with them, Mr. Speaker, in delivering services for young offenders to attempt to rehabilitate them before they get into serious trouble.

Now the Government of Manitoba and many other provincial governments in Canada have effectively set up a system of youth justice committees in their province, and yet the Government of Saskatchewan has failed to take any action in that area whatsoever, Mr. Speaker. We were hoping to see some action in this Bill. We didn't see it.

Mr. Speaker, there are some other concerns, more specific concerns that I have about the Bill that I will leave to discussion in Committee of the Whole, but I want to identify a couple of concerns here that I just want to put on the record and give notice to the minister that I'll be asking questions about these in committee, Mr. Speaker.

One, Mr. Speaker, relates to a principle in the Bill that in effect if a young person is held in custody, that wherever practical they should be kept separate from persons over the age of 18 years who are being held in custody.

Mr. Speaker, this is a principle that we agree with, but I think that the principle as enunciated in the Act could be stronger. I would like to see legislation, Mr. Speaker, that in effect provides encouragement and incentive to ensure that everywhere in Saskatchewan where young people are in correctional facilities, whether it be under remand or after sentencing, Mr. Speaker, that they will be kept separate; that young people under the age of 18 will be kept separate from adults.

And I don't just think it's a matter of doing it where practical, Mr. Speaker. I think it's a matter of the provincial legislation enunciating as a principle that this shall be done, and that where facilities are not currently set up, they shall be put in place, Mr. Speaker. So the provision is not strong enough and that's something that I want to ask the Minister of Justice about in . . . and the Minister of Social Services about in Committee of the Whole.

And, Mr. Speaker, another concern I had as I reviewed the Bill is the provisions that relate to liability. And again I don't want to get in specifics here except to note that the general principle is that people who are undertaking responsibilities under this Bill — youth Justice workers as an example, or anybody else who is working in a young offenders' facility, Mr. Speaker — anybody who is undertaking their responsibilities as they pertain to the authority granted by this Bill are provided with limitations on liability, in effect no liability for actions that are taken while they perform their duties. In other words, they can't be sued, shortly put, Mr. Speaker.

But the Bill has a rather unusual provision in that it extends the guarantee of no liability, freedom from suit in effect, to people who are undertaking their responsibilities as authorized by the Bill or who believe they are taking on responsibilities that are in effect not authorized by the Bill, Mr. Speaker, and that to extend a privilege of no liability to people who are working in the young offenders' system and are in effect not performing duties related to this Act although they believe they are, Mr. Speaker, seems to me to be very unusual and not a good precedent for this House, not a good precedent for legislation in the province of Saskatchewan, Mr. Speaker. And so we will be taking objection to that and asking the

Minister of Social Services questions about that in Committee of the Whole.

The final point I want to make, Mr. Speaker, with respect to this Bill which as I mentioned in general we will be supporting, is that there is another set of provisions that in effect deal with situations under which the federal corrections Act will apply to people working under this provincial legislation, the new young offenders' legislation, Mr. Speaker. And one of the things that is granted under the federal legislation pertaining to young offenders and pertaining to corrections is of course powers of arrest. And I notice, Mr. Speaker, in the Bill that operators of private service homes are to be given powers of arrest, in effect to have the same rights as police officers.

And that, Mr. Speaker, again seems to me to be rather unusual. We're not here talking of course about young people who are in closed custody or in what one might call a jail. Nor, Mr. Speaker, are we talking about most of the regular open-custody facilities in the province. We're talking here about private service operators who likely have little training related to police functions. And I will have some questions in committee, Mr. Speaker, about why these operators are being given powers of arrest, in effect the right to operate as police officers do.

So, Mr. Speaker, those are some of the reservations we have about the Bill. We'll be supporting it in principle, and therefore I'm prepared at this point on behalf of members on this side on the House to indicate that we're ready for it to move into committee. Thank you very much.

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

#### Bill No. 40

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Petersen that Bill No. 40 — An Act to amend The Dangerous Goods Transportation Act be now read a second time.

**Mr. Brockelbank:** — Thank you, Mr. Speaker. I'll just take a few moments to raise a point of concern on this Bill. I notice in the minister's second reading comments on the Bill, the minister did not specify whether groups that might be impacted by the application of this Bill had been contacted and what their response to the Bill was. And perhaps the minister in committee or in closing remarks, if he feels that's necessary, can indicate that.

One other point I want to raise with regard to the Bill before us is the exclusion with regard to the transportation of dangerous goods that are moved under the sole direction and control of the Minister of National Defence of Canada. I would like the enlargement on that particular clause or that particular section of the Bill. And further to that, Mr. Speaker, I would in due course and probably in committee, be able to ask more questions about the enforcement provisions — who does the enforcing? federal, provincial, or whatever.

And I would expect that would about sum up the

comments I have on second reading, Mr. Speaker, and I expect that most of the questions that I have can be answered in committee.

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

#### Bill No. 41

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Petersen that Bill No. 41 — An Act to amend The Highway Traffic Act be now read a second time.

**Mr. Brockelbank:** — Thank you, Mr. Speaker. This Bill, I suppose in its essence, could almost have been sent to the Non-Controversial Bills Committee. However, it is passing through a second reading of the House. The question arises in my mind again, Mr. Speaker, with regard to the application of these amendments to The Highway Traffic Act, they will bear on the commercial operators of trucks and buses in Saskatchewan.

I suppose the question can be pursued in committee about the minister's discussions with the organizations upon which the Bill will impact. I would be prepared to follow it up, but I just give the minister notice that I would like to, at that time, hear some discussion with regard to the people that are affected by the Bill. Thank you.

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

#### Bill No. 35

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Hepworth that Bill No. 35 — An Act to amend The Income Tax Act be now read a second time.

**Mr. Shillington:** — Mr. Speaker, I rise really for no other purpose than to state that this Bill can go to committee. We will have some questions on it, but those questions can be better put in committee than the comments made now.

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

### COMMITTEE OF THE WHOLE

#### Bill No 24 — An Act to amend The Municipal Revenue Sharing Act

**Hon. Mr. Hodgins:** — Mr. Chairman, we will not require officials for this Bill. It is a Bill that is straightforward, and because of the familiarity with crop insurance in rural areas, the Associate Minister of Health will look after this Bill.

**Hon. Mr. Wolfe:** — Thank you, Mr. Chairman. I think the opposition's fairly well versed on the amendments that are made to municipal hail. If they've got any questions, I'd gladly entertain them.

**Hon. Mr. Hodgins:** — Mr. Chairman, I apologize for the

confusion. I misrepresented to you; I had said municipal hail. What I meant was municipal revenue sharing. You're quite correct with Bill No. 24.

Clauses 1 to 3 inclusive agreed to.

The committee agreed to report the Bill.

#### Bill No. 15 — An Act to amend The Saskatchewan Embalmers Act

##### Clause 1

**Ms. Simard:** — Thank you very much, Mr. Chair. Mr. Chair, what this Bill does is it changes the existing legislation on advertising by the embalmers association and the legislation regarding the displaying of signs and advertising for business. My question to the Associate Minister of Health is: what is the problem that the amendments are intended to overcome with respect to advertising?

**Hon. Mr. Wolfe:** — Mr. Chairman, it's my understanding that the amendments are to enable the profession to better regulate advertising.

**Ms. Simard:** — In what manner, Mr. Chair, will it be better regulated?

**Hon. Mr. Wolfe:** — Well it will give council the authority to make by-laws, rules, and regulations, and in that way better regulate advertising.

**Ms. Simard:** — Mr. Chair, that doesn't answer my question. In what way are they going to better regulate? What by-laws will be passed? What will be the substance of these by-laws? What will be the substance of the regulations? I'm sure the associate minister knows.

**Hon. Mr. Wolfe:** — Mr. Chairman, the council will be able to make by-laws, rules, and regulations providing for the establishment of new or the approval of existing schools of embalming and governing special courses of instruction in embalming and the preparation of the remains of deceased persons for interment.

They will also be able to make by-laws, rules, and regulations for providing for the registration of students and fees payable thereon. They'll also be able to make by-laws, rules, and regulations prescribing the course of training and instruction of students.

They'll also be able to make by-laws, rules, and regulations prescribing the conditions as to the notice, place of hearing, representation of parties by counsel, manner of taking evidence, and the effect of any order made on a hearing following a refusal to register any person or the suspension or revocation of a licence or permit.

They'll also be able to make by-laws, rules, and regulations governing the issue of certificates of qualification, licences, and permits, and the renewal of licences and permits and prescribing of fees payable thereon.

They'll also be able to make by-laws, rules, and regulations specifying the circumstances and conditions under which certificates of qualification and licences to carry on business as an embalmer may be cancelled, and prescribing the procedure for the cancellation thereof.

They'll also be able to make by-laws, rules, and regulations governing the inspection and regulation of the premises, accommodation, and equipment of embalmers.

They'll also be able to make by-laws, rules, and regulations prescribing the duties of the secretary or any other employee of the association.

They'll also be able to make by-laws, rules, and regulations specifying what shall be deemed to be unprofessional, infamous, or disgraceful conduct on the part of an embalmer.

They'll also be able to make those by-laws, rules, and regulations providing for engaging and paying for any services deemed necessary by council, and also for providing generally for the direction and management of the association and for the better carrying out of the provisions of the Act.

**Ms. Simard:** — Mr. Chair, I'm not sure . . . I'm looking . . . and this is Bill 15 we're talking about, is it? Because what Bill 15 says to me is that they're going to amend subsection 19(1) to add the following clause: "regulating advertising." It doesn't say, Mr. Chair, that they're going to amend it to do all these other things.

I thought the Bill just spoke to advertising. Now I'm not sure what the associate minister was reading from. Perhaps he's reading from the powers that are already existing in the legislation. But my question is related to the amendment in the Bill, and my question remains the same: how are they going to legislate advertising, Mr. Chair, as compared to what was done before?

**Hon. Mr. Wolfe:** — Mr. Chairman, there will be an amendment that will be made to the second last thing that I addressed. As you are aware, section 19(1) reads:

The council may make bylaws, rules and regulations:

(j) providing for engaging and paying for any services deemed necessary by the council;

And the amendment will be an add-on as I understand it, regulating advertising.

**Ms. Simard:** — Am I correct then in stating that what this Bill does is add a new power for the council to regulate advertising, and that's all that this Bill does?

**Hon. Mr. Wolfe:** — The amendment will in effect enable council to make regulations regarding advertising, that's correct.

**Ms. Simard:** — Is that all that the Bill does?

**Hon. Mr. Wolfe:** — It allows council to make regulations

regarding advertising. Sections 38 and 39 will be withdrawn.

**Ms. Simard:** — And what do sections 38 and 39 provide?

**Hon. Mr. Wolfe:** — I'll read them briefly for the member opposite. Section 38 in the existing legislation says:

No embalmer shall adopt any form of advertising other than a professional card or announcement, stating only his name, the fact he is duly licensed, his business address, telephone numbers, and the name, address and telephone number of his manager, if any. Such card or announcement shall not be larger than ten square inches; it shall not appear in more than one place in any newspaper, journal, magazine or other publication; and it shall not be attached to any calendar, souvenir or any other advertising object or device.

Section 39 is:

The sign used by the embalmers at his place of business may be of any size but shall contain only the particulars mentioned in section 38.

**Ms. Simard:** — Thank you, Mr. Chair. Now I've established that we are both talking about the same Bill — Bill No. 15 — and obviously the associate minister wasn't completely aware as to the fact that this Bill is limited to regulating advertising.

So I come back to my original question: how does it change sections 38 and 39? What are in, or will be in the by-laws of the association?

**Hon. Mr. Wolfe:** — If you've had a chance to think about section 38 and section 39, you'll see that those sections that I read off to you previously are very restrictive and really don't give council the ability to regulate advertising as much as they would like.

The new provisions will give them a more encompassing ability to regulate advertising — it was very, very restrictive before. And as I said earlier it was the amendments to the Bill and there was some communications or misunderstanding about what we were talking about the Bill or the amendment, but I hope that's clarified for you now.

**Ms. Simard:** — Mr. Minister, I didn't have any misunderstanding about what we were talking about. However, you still haven't answered my question. Do you have a copy of the by-laws or proposed by-laws in rules and regulations the association's going to put forward under this new subclause?

**Hon. Mr. Wolfe:** — I don't have the by-laws here, and it'll give council the ability to regulate advertising. As I understand it, the by-laws will be made available to the legislature through the Regulations Committee at a later time.

**Ms. Simard:** — Obviously the legislature has the final say with respect to by-laws or the Minister of Health does because, Mr. Associate Minister, that is what usually

happens in legislation. By-laws are made and they're approved either by the Regulations Committee or by the Minister of Health or by both in the final result. And I'm assuming that's the case here. And that's obviously . . . you said they go to the Regulations Committee. Obviously they go there for approval.

Do you know what is going to be in those by-laws? You said you don't have them here. Do you have a copy of the proposed by-laws? Or at the very least do you know what is going to go into those by-laws?

**Hon. Mr. Wolfe:** — The council, as I understand it, is presently drafting those by-laws. I haven't seen them. They've done a survey to try to get input from their members, but as I understand it, it will be much more improved over what they currently have and they would like to proceed.

(1530)

**Ms. Simard:** — Have you had any discussions with them as to the content of the by-laws, Mr. Minister?

**Hon. Mr. Wolfe:** — My officials have discussed various aspects of advertising and possible things that they might include in their by-laws.

**Ms. Simard:** — Then what is the problem that they are intending to overcome? Is there a specific problem? Or what is exactly the problem?

**Hon. Mr. Wolfe:** — As I explained earlier, section 38 and 39 are very, very restrictive and don't really give council the ability that they need to regulate advertising in an appropriate manner. So this would give them more ability to regulate advertising.

**Ms. Simard:** — Mr. Associate Minister, I just can't believe what I'm hearing. You're amending the legislation to regulate advertising and you aren't even sure in what way these by-laws are going to be expanded. You don't even have a general idea because you can't give me any sort of specific suggestion as to what is going to be in there.

Now this is an area, Mr. Minister, that is very sensitive with respect to advertising, very sensitive. And I'm sure the associate minister understands what I'm talking about. And I feel it would be incumbent on the government to get some kind of idea as to the general direction or how far, how much advertising they're going to allow and what sort of manner they're going to allow the advertising, what form they're going to allow it to take. Surely the government has some responsibility to check that out to the public of Saskatchewan. Can the minister give me more information than what he has so far?

**Hon. Mr. Wolfe:** — Well just to give you an example of how restrictive this advertising is, and I'm going to refer back to section 38. I'm not sure if you've got it in front of you, but the way it reads at the present time it's:

No embalmer shall adopt any form of advertising other than a professional card (you know, like the little business cards?) or announcement, stating

only his name, the fact that he is duly licensed, his business address, telephone numbers . . . manager, if any.

So it only really says that embalmers are able to use that form of advertising. So you can see how restrictive that section is. So if you think about it — and I'm sure you've been to a funeral or two — think about the memorial book that one signs when one enters the church; well if the embalmer's name or the pastoral service, if it was associated with the embalmer, was on the cover of that book, that might be deemed as advertising.

So what this legislation does is it allows council the ability to draft a set of by-laws which are appropriate. The present legislation is very, very restrictive, and that's the problem. So what we were trying to do is trying to give council the ability to regulate advertising. And we feel that council, since it represents its members, will do that and do justice to their members and to the public at the same time.

**Ms. Simard:** — Mr. Minister, I agree with you that 38 and 39 are restricted; that's not the issue. I also agree that there should be more flexibility; that's not the issue. The issue here is that as the Government of Saskatchewan, you have an obligation on the part of the public to inquire as to how far they wish to go with respect to their advertising and have some idea and some indication, because you're passing this legislation and ultimately the government or the Regulations Committee approves the regulations.

So could you please tell me whether you have some idea as to how far the council wishes to go with respect to advertising?

**Hon. Mr. Wolfe:** — Well, I guess my comment, Mr. Chairman, is how far do the members wish to go, does council wish to go? If you really take a look at 38 and 39, and you suggested that they are very restrictive, what it will do is allow them to regulate in a proper manner, advertising. At the present time it's so restrictive, and they don't have the ability to regulate advertising over and above that, that a lot of their members are having trouble complying with the legislation.

I'm going to give you an example from their survey that was done. And I'm not sure of the date the survey was done, but this information was sent to the department, I believe, in April of this year.

And as an example, the thing that I mentioned to you earlier, funeral home name imprinted on memorial book. Out of the members that were surveyed, 47 thought that that was tasteful while only one thought it was distasteful. So that's an example of what they thought was tasteful.

As far as an example of things that they felt weren't tasteful or felt were distasteful, one of the ones that they mentioned was television advertising. Seven members responded saying it was tasteful; 41 responded saying that it was distasteful. Advertising on cookbooks or in cookbooks — 15 felt that it was tasteful; 17 felt that it was distasteful.

So you can see the perplexing situation that they have under the current legislation. I think that the member's concerns are legitimate, and I do think that we serve the profession and the public very well by giving them the ability to regulate such things as cookbooks.

**Ms. Simard:** — Thank you. That shed some light on the issue. I just want to remind you, Mr. Associate Minister, that it's not simply a question of the council having full and complete authority over this. There's a public policy issue here and that's why it's in front of the legislature.

And the issue is, is that this is a sensitive area in terms of advertising because the customers of this sort of business often find themselves in a vulnerable position when there's been a death in the family. And therefore the government has an obligation to look into the matter, to get some idea of the direction the council . . . Of course the council has the right to self-determine its advertising, but the government has an obligation when it comes before the legislature to have some idea of the direction the council wishes to go.

So there is a public policy issue as well, and I'm quite disappointed that the government doesn't seem to have fulfilled its responsibilities in that regard to the extent that it should have in getting some direction from the council.

The saving grace, I suppose, is the fact that the regulations and the by-laws will come forward and the government will have an opportunity to make one final review of what comes forward. And therefore I'm going to ask the associate minister whether or not he will promise that I personally get a copy of the proposed by-laws and regulations before they are approved and in adequate time to make any sort of a response that I may feel is necessary.

**Hon. Mr. Wolfe:** — I can give the member opposite the reassurance that she'll have the opportunity to look at the by-laws before they move forward. And I'd appreciate hearing her comments about some of the advertising that's currently in place. Maybe she'd have some suggestions for the membership as to the kinds of things that they should be looking at when they're drafting their by-laws.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

The committee agreed to report the Bill.

**Bill No. 10 — An Act respecting the Manufacture, Sale, Use, Consumption, Collection, Storage, Recycling and Disposal of Ozone-depleting Substances and Products**

**Mr. Chairman:** — Would ask the minister to introduce his officials please.

**Hon. Mr. Hodgins:** — Thank you, Mr. Chairman. On my left I have Tom Galimberti with the Department of the Environment; behind him, Larry Kratt; and we have Aniko Szojka; and Rick Knoll.

**Clause 1**

**Mr. Tchorzewski:** — Thank you, Mr. Chairman. Welcome to the officials as well. Mr. Minister, I have several questions that I want to address on this Bill. I notice that you have an amendment to propose. We will want to look at it. And I also have an amendment which I will want to propose on section 11 as well. In fact I should probably send a copy over to the minister in advance before we get around to it, if I can have a page. Thank you.

Mr. Minister, I do not intend to take a great deal of time because, as I indicated in second reading, this is a Bill which we have promoted and supported in principle for some time in the opposition. As a matter of fact, earlier in the session I introduced a Bill which is much like this one and I did so, Mr. Minister, because last year in both the throne speech and in the budget your government, over a year ago, indicated that in the last session there would be this legislation introduced. But it was not. I found that regrettable, but I welcome the fact that it's introduced now. I also found it somewhat bewildering because the last session was, I believe, the longest session in the history of this legislature, and so there seems to have . . . should have been enough time to introduce the promised Bill in the last session as it was indicated would be done.

So I ask you, Mr. Minister, since the Bill was announced in the last . . . a year ago in the throne speech and the budget: what is it that held up the introduction of the Bill in the last session so that by now we could have already had regulations in place and maybe some of the ozone-depleting substances eliminated? And that would have been important because I don't think that there is a great deal of time that we have left when it comes to dealing with the destruction of the ozone layer and with global warming and many of those things which we shall get into when we consider your estimates, your department's estimates.

Why is it, Mr. Minister, that although the government promised — obviously for public relations purposes — in the budget and the throne speech of 1989, the Bill never came forward and took until this year to be introduced, and I might add, introduced even though in this year's throne speech and in the budget there was no mention of this legislation?

**Hon. Mr. Hodgins:** — Mr. Chairman, I think that you would agree and I think the opposition would agree, in looking at the whole issue of ozone depletion, that it's an extremely complex issue. It is an issue that is not unique to Saskatchewan. In fact, what we are dealing with here is a planet issue, a world issue, an earth issue.

If you will have noticed over the last couple of years, you have seen the federal government introduce legislation. We have worked very closely with the federal government ensuring that our legislation conforms to their standards and is synchronized with the federal legislation. Our time frame is actually ahead of most provinces in the country. I believe at the time this was introduced there were only a few provinces who had introduced this legislation prior to us — Ontario, British Columbia, Nova Scotia — but the rest of the country is now in the process of doing exactly what we are doing here today.

I think you would agree that on an issue of this complexity, you would want to make sure that all the i's are dotted and the t's are crossed. And we have taken a great deal of care with this issue and have introduced it at this time.

(1545)

**Mr. Tchorzewski:** — Mr. Minister, I assume that you had taken a great deal of care on this issue when you announced it in the budget and the throne speech of 1989. Are you saying to the House that at that time you weren't serious about introducing the Bill — the former minister and you on the Executive Council — and you simply put it in the throne speech for purposes of public relations? There had to be a reason why you had it. Did you not have a Bill prepared, Mr. Minister, when you announced to the world that the province of Saskatchewan, over a year ago, was going to make this important move?

I agree with you, it's not unique to Saskatchewan. That's a fact. It's not unique to anybody. It is a world crisis. It is a crisis for this planet. And every time any jurisdiction, for whatever reasons, delays doing something about it, I think that that jurisdiction deserves some criticism. I'm not going to be harsh in my criticism of you today; in fact, I'm not even going to be critical. I'm just wondering why would you have announced it in the throne speech and the budget in 1989 when you weren't prepared to have it introduced?

**Hon. Mr. Hodgins:** — Mr. Chairman, I don't think there's much more that I can really say to the hon. member other than to stress the fact that this is an issue that is complex. It is an issue that we would hope to have a great deal of conformity across the country so that our legislation is very similar to that in other provinces and that it does conform to the federal guide-lines and that we go forth with a unified approach across this country. And those things took time.

Perhaps it was too optimistic of us last year to think that we could get all of the details worked out, but I want to stress that we have taken a great deal of care and time and attention with this particular Act and that I believe the public will find it satisfactory. And it will indeed be doing a great service to the environment, and we would be doing a great disservice if we did not introduce it at this time.

**Mr. Tchorzewski:** — Mr. Minister, I agree that there is importance in a country like Canada to have a unified approach to the extent that that's possible, so I was listening with some care to what you were saying.

Am I to therefore conclude that there is an agreement which you as the Minister of the Environment in Saskatchewan have with all of the other provinces, that they will be soon introducing such legislation? You must have had consultations about this important unified approach. Is there an agreement with the other provinces? If there is, what is their intention, Mr. Minister?

I know one province, Ontario, was way ahead of

Saskatchewan and ahead of the federal government and indeed introduced this kind of legislation, I believe, two years ago. Now that certainly . . . the complexity of the whole issue, should affect Ontario more than any other jurisdiction in Canada, because of the fact that much of the industry that manufactures ozone-depleting substances which are found in different kind of materials, are manufactured in that province. So it was not too complex for Ontario to get this legislation in a year ago, but it seemed to have been too complex here.

But putting that aside, I don't want to get into that argument. I simply want to know — because I think it's important and you mentioned it — that the uniformity be something that's done and in fact that all of the provinces of Canada move on this. Is there such an agreement? And in what form does it exist, Mr. Minister?

**Hon. Mr. Hodgins:** — I can tell the hon. member that there is no formal agreement among all provinces, but there was consultations with the federal government. This has been on the agenda of the Canadian Council of Ministers of Environment on a number of different occasions, and it was the general feeling amongst all ministers of the environment across this country that we proceed with legislation respecting the ozone layer and that we do attempt to be as consistent as is possible across the country.

I remind the hon. member that at the time this legislation was introduced, there were only three other provinces in Canada who had introduced similar legislation. I wish we could have moved quicker, but I don't think we are tardy in a relative sense to other provinces across the country.

Certainly we can be accused of being tardy with the overall issue. There are many, and I would agree with many, that legislation like this could have and should have taken place a number of years ago. But if you want to stack us up with other provinces, other jurisdictions across the country, I think we are ahead of most of them, with only three of them beating us to the punch.

**Mr. Tchorzewski:** — Mr. Minister, I am tempted to take up your invitation to talk about your tardiness and to how you stack up and how this government stacks up to other jurisdictions, but I think your estimates will be a better forum in which to do that. So I won't do that on this Bill. But I want to pursue some more specific questions.

Since you took an additional year to prepare yourself for something that's been studied for many, many years and on which there is undeniable evidence, scientific evidence which indicates what the problem is; and even if we act now, even if every jurisdiction in Canada acts today, the damage is done; that in 75 years all the stuff that's up there which is depleting our ozone layer, will continue to do what it's doing.

I was shocked to hear today in some news reports — and I don't have all of the correct statistics — but shocked to hear that there has been a massive increase in the incidences of cancer in Canada because of environmental reasons. And one of those mentioned today, out of the study that was reported on, was that the incidence of skin cancer caused due to the depletion of

the ozone layer has increased almost most of all.

So we should not be tardy even in our own small way in Saskatchewan. We're not a big contributor, but we are a contributor. So I'm pleased that this Bill is here.

I will not be totally confident that all of the intention of this Bill will be done until I see things starting to happen which actually delete certain ozone-depleting substances. So I want to ask you: since you had a year, an additional year to prepare yourself, can you inform the House today which products you intend to take off of the market this year, once this legislation is in?

**Hon. Mr. Hodgins:** — Mr. Chairman, there will be some products that upon proclamation of this Bill will immediately become banned or prohibited or taken off the shelves, to use the member opposite's wording. And the products that I would use as examples would be, firstly, aerosol propellants. Such things as hair sprays would immediately come off the shelves.

The other general area has to do with packaging or wrapping. And to put that into everyday language, such things as the styrofoam containers that contained CFCs (chlorofluorocarbons) that you would perhaps buy hamburgers in or some type of fast-food products that contain . . . styrofoam containers that have CFCs in them. Those types of products.

**Mr. Tchorzewski:** — Well, Mr. Minister, on the aerosol sprays you will not be accomplishing very much because the industry is already in the process of eliminating most of that. As a matter of fact, many have converted. I have letters and documentation here from the industry which indicates what they've already done and in fact have urged governments — surprisingly enough but I think to their credit — that governments need to act quicker.

So, Mr. Minister, are you saying that after having studied it all of this time, all that you're going to be dealing with in the immediate sense are aerosol sprays and wrappers and containers? Is that the best you can do?

**Hon. Mr. Hodgins:** — Mr. Chairman, as I stated in my introductory remarks, the legislation that we have before us in detail is very consistent with legislation across the country, a few provinces of which who have introduced similar legislation. And the two primary products that we're talking about are aerosol cans and packaging containing CFCs.

The hon. member will make the argument that, well some businesses, some corporations have moved quicker than this legislation. And frankly, Mr. Chairman, I applaud those businesses. I applaud those corporations who have shown to their consumers and to the general populace that they are indeed good corporate citizens. We need more corporations like that that are willing on a voluntary basis to come forth with voluntary restrictions on themselves.

What this legislation does is for those corporations or those business people who either are not knowledgeable about this issue or unwilling to go along with it, these products will be banned. Very similar to what's taking

place across this entire country.

**Mr. Tchorzewski:** — Mr. Minister, I think clearly what's happening here is that you're indicating that all you're intending to do with this legislation, and I really regret that, is to try to do a public relations exercise. Because for Pete's sake, let's take a look at what you're doing.

There are all kinds of ozone-depleting substances that can be found in the economy and in society today. You took an extra year to get your act together. You went through a public relations exercise a year ago and you announced this legislation which you had no intention of introducing at that time. You went through the PR (public relations) process. Now you finally have legislation. You took all this extra time to prepare and you can't even inform the House and the public what you're going to do with it.

You didn't need legislation to tell us that you're going to do away with aerosol sprays and wrappers and containers because the industry is already moving in that direction. And good for them.

What are you going to do about insulation, Mr. Minister? That shouldn't be too difficult. It includes in it CFCs and other ozone-depleting substances. What are your intentions with regard to refrigeration and air-conditioning fluids, which are really a very serious problem? What are your intentions under this legislation to do, for example, with those two, Mr. Minister? During this extra year did you bother doing any work in preparing yourself for that at least?

**Hon. Mr. Hodgins:** — Mr. Chairman, I want to clarify for the legislature the issue of whether or not this legislation is encompassing legislation. The hon. member had previously asked me which products are immediately banned or taken off the shelves under this legislation. I gave the hon. member a couple of examples, the examples that are very similar in other jurisdictions across the country, examples that ministers agreed should be first priority. And that is firmly written into this legislation that those products will immediately be banned from use.

Now, Mr. Speaker, the hon. member would warrant or represent to this Assembly that what should be done is an immediate ban of every single product that does contain CFCs in small, moderate, or large amounts. I think, Mr. Chairman, that you and I would both recognize that that would be a difficult position to take for a variety of reasons.

(1600)

And I would like to talk a little bit about some of the other products that do have dates of phase-outs in them. I'll talk about the Halons that are used in fire extinguishers. There's a date on there of December 31, 1990. The manufacture or sale of rigid foam insulation would be December 31, 1993. We would also talk about cleaning solvents for commercial use; that date is December 31, '91. We talk about the release agents that are used in moulds. That has a date of December 31, '91. Lubricants that are used in the mining operations have a phase-out date of December 31, 1991. CFCs in refrigerators, air



conditioners, and coolers to be phased out by December 31, 1998.

Mr. Chairman, the hon. member may take issue with some of the specific dates. They are, to the best of our knowledge, fair dates, practical dates, common-sense dates, to phase out these different products. I respect that this is an extremely serious issue, and I want to make it abundantly clear today to the opposition that there will be follow-up discussions with the federal government and with my colleagues on the issue of speeding up or changing some of these dates. I think the entire country has recognized and the hon. member has pointed out that this issue is perhaps even more serious than most would think.

And I want the hon. member to know that these dates are certainly subject to change, but I will want to work with my colleagues across the country and with the federal government to ensure that we can move as rapidly as possible.

**Mr. Tchorzewski:** — Thank you, Mr. Minister. That's a little more substantial answer than you'd earlier given. I welcome it.

But since you have this information — and I won't take the time of the House; we can do it in another way — you must, I therefore conclude, have a list of the products that your department has prepared which need addressing. And on some of them, as you have just outlined, you will have target dates.

Will you undertake, not today, but will you undertake to provide me with a list of those products that you know of that your department has prepared which need dealing with? And also the targets that you've just outlined, and any others that you have for those products, to be able to deal with?

Will you undertake to provide that for me, not in September, but sometime before the next two weeks or so? Because it can't be that difficult. And if you give me that undertaking, then I will go on to something else.

**Hon. Mr. Hodgins:** — Mr. Chairman, I would gladly compile the complete list of the products together with the phase-out dates. I would send that very quickly to the hon. member opposite, and I would welcome his comments on any specific products that he may want to take note of.

**Mr. Prebble:** — Thank you very much, Mr. Chairman. Mr. Minister, I wonder if you can indicate to us with respect to this Bill, and specifically with respect to the sections of the Bill relating to the recycling of material, first of all, when you anticipate these sections coming into effect; and secondly, what provisions you are going to be assisting municipalities with to put in place with respect to the recycling of ozone-depleting materials. Will there be municipal . . . will there be funding from your government to assist municipalities in ensuring that these recycling operations are in place? Where will they be located, and when do you expect that to be in effect?

**Hon. Mr. Hodgins:** — Mr. Chairman, I think when we

look at this whole issue, it is an issue that has been created out in the market-place. It is a problem that primarily must . . . well must firstly be addressed by governments by taking firm action and passing laws such as the ones that we have here. But a great deal of the responsibility does fall on the part of the specific industries that are involved in this.

And I can inform the hon. member that we have consulted at length with many of the industries in Saskatchewan. I think of the automotive industry, for example, the Freon used in the air-conditioners in automobiles. The automotive industry will very much look after this problem and will have to respond to that consumer demand and this law to put systems in place that will recover and recycle or store the materials that they collect.

The other major area is the general refrigeration business. That industry we have consulted with as well, and they will in putting in — in fact some are in place today, and that will be expanded as time goes on — a full system to recycle and recover the products that by law must be recovered.

The other area is the fire extinguisher business; it's a business widespread throughout Saskatchewan. And similar comments with respect to that, that those businesses as well will look after the recycling, recovering of these materials.

**Mr. Prebble:** — Mr. Minister, that's not good enough. First of all, are you telling us that you have no plans for assistance . . . of financial assistance to municipalities and other forms of assistance to municipalities to ensure these kind of recycling operations that are required will be available on a province-wide basis? I mean surely you must know, for instance, that already in British Columbia municipalities like Burnaby, just as an example, are passing by-laws requiring . . . in fact I think they have one in place already that requires the recycling of ozone-depleting materials that come from things like automobile air-conditioners.

When will this be in place in Saskatchewan? Will you be providing financial assistance to municipalities to get this in place? And what deadline will your provincial legislation and regulations set in terms of when this recycling will be mandatory in the province?

**Hon. Mr. Hodgins:** — Mr. Chairman, I once again want to stress that this legislation will put the onus on the private sector in Saskatchewan to conform with this legislation. And I think that the member, if he were to consult with the automotive industry, would be made very much aware by the automotive industry that they will, by law, have to look after the recovery and recycling of Freons out of air-conditioners, for instance.

So I don't think municipalities will have a big problem. If you're talking about their fleet of vehicles, that will be looked after by private sector. I believe this is a very prime example of where the polluter pays, if you like; that private sector will have to respond to this issue.

**Mr. Prebble:** — Mr. Minister, that's not a very adequate

answer. And I take it from your answer that you're not planning to provide municipalities with financial assistance. I take it from your answer that you've not set a date with respect to when this kind of recycling has to be in place. And I think that that's inadequate, Mr. Minister.

I want to ask you two other brief questions, Mr. Minister. One relates to the overall target for the reduction of ozone-depleting materials that you have set. I think it's fairly well established, sir, that in order to prevent further depletion of the ozone layer, we must reduce the current emissions of ozone . . . of CFCs into the atmosphere by about 85 per cent.

Can you tell me when that 85 per cent target will be achieved in the province of Saskatchewan?

**Hon. Mr. Hodgins:** — The current target date by this legislation would be a 50 per cent reduction by the year 1998. I do want the member to know that this is an issue that I will be bringing forward to the next ministerial meeting. The Canadian Council of Ministers of the Environment will meet, I believe it is in August or September of this year. And in some of my discussions with those ministers, we will have on the agenda the whole issue of a target date.

And I respect what the member opposite is saying that perhaps 1998 is too far away, that we may have to revise that target date and speed up the phase-out of these particular products.

**Mr. Prebble:** — Yes, Mr. Minister, I think that . . . I say unequivocally that that is inadequate. A 50 per cent reduction by 1998 is just not good enough, sir, because in light of the crisis that we face, my colleague, our Environment critic, indicated that, for instance, the rapid escalation in skin cancer. You will know that there are many other serious environmental implications associated with ozone-depleting substances that I don't need to outline at this point. But for instance Friends of the Earth (Canada) having studied this has proposed as a guide-line for provincial governments the elimination of all CFCs in Canada by 1995.

Now, Mr. Minister, surely at least you could set as a target that after 1995 Saskatchewan as a province, the Saskatchewan people will no longer add and accelerate to the depletion of the ozone layer in the world at a global level. And what you're telling me, Mr. Minister, is that by 1998 Saskatchewan will still not have reached the point where we are not further depleting the ozone layer. That's what you're telling this House. That, Mr. Minister, is unacceptable.

And I'm asking you now, will you give us a commitment this afternoon that you will by 1995 have in place a target of having eliminated 85 per cent of the current contribution that Saskatchewan makes to the depletion of the ozone layer? Because that, Mr. Minister, is the target that is required, that is a minimal target. And I ask you will you give us your commitment on that today, Mr. Minister?

(1615)

**Hon. Mr. Hodgins:** — Mr. Chairman, I can give the hon.

member the assurance that I will take that position forward to the Canadian council of ministers at our next meeting. I have to stress once again the consistent approach that we must take across the country and the fact that the majority of CFCs are produced and manufactured in eastern Canada.

I know how strongly the hon. member feels about this particular subject, and I want the hon. member to rest assured that when I walk into the next meeting of the CCME (Canadian Council of Ministers of the Environment) that I will take a very strong Saskatchewan stance, on behalf of Saskatchewan people, to ensure that those who are doing the polluting, those who are aiding and abetting and actually manufacturing these products, primarily in eastern Canada, will know that Saskatchewan people do feel strongly about this issue, and that we will do our very best to speed up the elimination of these products.

**Mr. Prebble:** — The point is though, Mr. Minister, that we have the ability in Saskatchewan to set Saskatchewan laws that will achieve this 85 per cent target by 1995, and what you're telling the House is that you're not prepared to do that, Mr. Minister. And I just don't think that's acceptable.

I want to ask one other very brief question before I turn this back to our environment critic. And that is, Mr. Minister, with respect to the bromine that is contained in Halons, I heard you make reference to the fact that you were looking at the phasing out of Halon products by December 31, 1990. Now, I'm concerned, Mr. Minister, about the bromine in these Halons because it is many times more potent in terms of its depletion effect of the ozone layer than are the CFCs.

And so I want clarification on this matter. Will you give us your assurance that by December 31, 1990, no products will be sold in Saskatchewan which contain the Halons and which contain bromines, Mr. Minister? And can you indicate, if that's not the case, when all Halons containing bromines will be phased out in this province?

**Hon. Mr. Hodgins:** — Mr. Chairman, to clarify the issue, the amendment that we have put forth in this legislation is to do precisely what the hon. member is asking for. Just a minor technicality. I had stated December 31, 1990; it is actually January 1 of '91. But for all intents and purposes, I will represent to the hon. member that the products that you spoke of, fire extinguishers with bromines and Halons in them, will not be sold in the year 1991.

**Mr. Tchorzewski:** — Thank you, Chairman. Mr. Minister, just so that I do not misinterpret what you said, did you say that your target for elimination of ozone-depleting substances is to eliminate 50 per cent of those substances by 1998? Am I correct?

**Hon. Mr. Hodgins:** — Yes, that is the original date. Yes.

**Mr. Tchorzewski:** — Mr. Minister, you've just confirmed something I said earlier that you're really once again doing nothing but a public relations exercise. Sure you're going to pick some small item here and some small item there, and you're going to make a big, splashy

announcement.

But I'm telling you, Mr. Minister, with all the sincerity that I can muster, that this serious situation is beyond public relations. Even in Saskatchewan we have got to make a commitment to deal with this. The survival of a lot of things including human life may very well be dependent on how we handle these things. And you've made it very clear in the House here today that you're going to continue dragging your feet.

Other examples have been set. Now, Mr. Minister, in Ontario . . . Well let's talk about the federal government. You say 50 per cent by 1998. The federal government has said it's setting a target of 85 per cent elimination by 1999. The Ontario government which introduced legislation — and it's already in place — has said that they're going to . . . let me just make sure that I read it accurately for you. I'll read it:

It was a sweeping declaration of the Ontario Minister of the Environment, James Bradley, last week that would see all Ontario emissions of the troublesome chemicals eliminated by 1998.

Now in Ontario, which is probably . . . If you talk about what industry will say — oh this is terrible economically. I don't buy that, but that's what some of them will say. If Ontario which is going to be impacted more than anywhere else, they can eliminate 100 per cent by 1998, why in heaven's name do you have to set a target of only 50 per cent of 1998, Mr. Minister? Can you explain that?

**Hon. Mr. Hodgins:** — Mr. Chairman, just to shed some light on this. The target of which I speak was a target that the federal government and most jurisdictions across the country at a meeting some months ago decided would be a fair and reasonable target to shoot for. In Saskatchewan we feel that it is a very conservative estimate, that it is a target that is very, very achievable, very achievable.

And in fact I will accept the hon. member's arguments that that target is not good enough. I want the hon. member to know that we will do everything we can to achieve a much higher target. And in my discussions with my counterparts across the country, we may well end up reaching agreement — and this is what I would propose — reach an agreement across the country where we formalize this target. Rather than just having a general target of, oh, let's say 50 per cent or others can talk about 80 per cent, I would propose a formal agreement be reached and that a much higher target level be associated with it.

But I once again get back to the fact that this was an original target that we all shot for. Some others have come out and stated that they will do much better than that. I want the hon. member to rest assured that we in Saskatchewan will reach our target and much higher targets as quick as any place does in the country.

**Mr. Tchorzewski:** — Mr. Minister, I don't want to take all day on this. But I repeat again, that when it comes to a lot of important issues — and environmental issues is one of those — governments have to be proactive. I mean, for Pete's sake, let's provide some leadership in

Saskatchewan, the likes of which we used to provide on a lot of important issues.

You're like the tail that's being wagged by the dog — not you personally, but the government. You're saying that you're going to meet with other jurisdictions to see if you can formalize the 50 per cent target.

**An Hon. Member:** — Higher target. Higher.

**Mr. Tchorzewski:** — Well even higher. Well I'm telling you that Ontario has already established a target of 100 per cent. And they're busily implementing by 1998. Now, Mr. Minister, if you're going to formalize anything, and one would have thought that you would have spent some time thinking about that when you were bringing this legislation forward, that you at least would have set your target equal to the best target that exists in Canada today.

I ask you then, Mr. Minister: are you prepared to bring in an amendment to this Bill which will establish 1998 the target for which 100 per cent emissions will be the target in Saskatchewan?

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

**Hon. Mr. Hodgins:** — Mr. Chairman, this legislation does not formalize the target date. The target date, once again, was a target date that most ministers across the country agreed to. We are in a very changing environment. Since that time there has been a great deal more discussion on the subject. I think the hon. member may have even watched a little bit of it on television the other night.

And I can only respond to the hon. member by saying that we agree that this target is a modest target, that it is not acceptable; we would hope to achieve a much better record than this target currently. But I have to express, Mr. Chairman, that talk is cheap and it's very easy to say, oh well, we'll have a target, and then you miss it.

And I just want the hon. member to know that we will take this issue very seriously. We will speed up as best we can the elimination of these products. But for me to quickly jump in and say, well yes, we're going to change that target date regardless of what they do across the country, would not be practical and I hesitate to do so.

**Mr. Tchorzewski:** — Well, Mr. Minister, talk may be cheap but commitment and action is the price that governments have to pay in order to make sure that the job is done. And we have no commitment from you and we have no indications of actions from you. You said a moment ago that your target is 50 per cent. You were very definitive. Now you're back-peddalling again, just as you've done on so many other issues. You're now saying, oh but maybe that's not a real target. Maybe we're going to have to address some other targets. We're going to talk to the other provinces.

Well the target's already set, Mr. Minister. Ontario has set the target — 100 per cent elimination, 1998. I won't pursue that with you any further. I mean the point has been made. You are not really serious about this, Mr. Minister, other than the public relations exercise. You bring a Bill in the House so you can tell the world, oh

aren't we acting, although it's a year late from your commitment. But you don't have the faintest idea what you're going to do with it because it's only public relations with you. Environment means nothing. The life sustaining systems of our planet mean nothing. Public relations, because some advertising agency has told you that the environmental issues are high on the pollster's charts, is what this is all about.

At least, Mr. Minister, will you answer this specific question, because you should know: when is it your intention to proclaim this Bill so that you can get on with what you're doing, because a Bill passed through this House means nothing until it's proclaimed. When is it your intention to proclaim this Bill?

(1630)

**Hon. Mr. Hodgins:** — Mr. Chairman, I would propose to the hon. member that immediately following some further consultations with many of the industries who are affected by this piece of legislation and many of the interest groups, that we would proclaim this Bill. I would commit to the opposition that we would work with great speed to continue these consultations and that September would be a realistic time frame by when we could have that accomplished.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

#### Clause 7

**Mr. Chairman:** — There's a House amendment to Clause 7, moved by the Minister of Environment:

Amend section 7 of the printed Bill by striking out "No person" and substituting "On and after a prescribed day, no person."

**Mr. Tchorzewski:** — Mr. Minister, you now indicate that on and after a prescribed day, no person shall manufacture for sale or sell any portable, hand-held fire extinguisher.

Can you just again reassure the House that you have a prescribed date already. I think you did that, and I forget. Can you remind us what that date is.

**Hon. Mr. Hodgins:** — That date will be prescribed in regulation. It will be January 1, 1991.

Clause 7 as amended agreed to.

Clauses 8 to 10 inclusive agreed to.

#### Clause 11

**Mr. Chairman:** — House amendment to clause 11, moved by the member for Regina North East to:

Amend section 11 of the printed Bill:

(a) by renumbering the section as subsection (1); and

(b) by adding immediately after subsection (1) thereof the following subsection:

(2) Except in circumstances that are considered by the Lieutenant Governor in Council to be an emergency, the Lieutenant Governor in Council shall seek advice and recommendations from the public on any proposed regulation or on any proposed amendment to a regulation made under this Act.

**Mr. Tchorzewski:** — Mr. Chairman, I would urge the minister to accept this amendment. It is not intended to do anything other than to assure that there is public consultation, and in fact I was surprised it was not in the original Bill. The Bill that I had introduced for first reading some months ago in fact had that provision, and this brings that same provision to this section.

I'm really quite surprised that in section 11 where the minister says that the Lieutenant Governor and Council may make regulations, there is not a provision for public consultation. The amendment which I have proposed would leave, as government needs to have, the ability in emergency situations for the government to be able to act and deal with those expeditiously. I think that that's fair and reasonable.

But I think that the public, industry, consumers, and others who may have an interest . . . small-business people . . . I have a letter which I received from a small-business operation in Moose Jaw expressing some concerns, D & L Refrigeration Service Ltd., which confirms the fact that there needs to be public consultation.

So I really think, Mr. Chairman, and I urge the minister to take a serious look, and that's why I gave him the amendment earlier, accepting this amendment . . . And if he's not prepared to accept it, I would like to have him explain why it is not important for the government to consult with the public on this or any other issues in light of the fact that the government has made a great to-do about Consensus Saskatchewan, expensive operation of 100 people; in spite of the fact that the government has made a to-do about the new openness which the Premier has spoken about.

Surely when governments say those things, one should be able to expect the government to be consistent. This is consistent with in fact what the government has been saying. It's consistent with what the minister said a moment ago, in which he said they will be consulting with industry about proclamation and so on.

Let's back it up. Let's put it in legislation. Let's agree to this amendment.

**Hon. Mr. Hodgins:** — Mr. Chairman, I want the hon. member opposite to know that I very much agree with the amendment put forth by the New Democratic Party, and I would commend members opposite for putting an amendment forward such as this.

I think this is probably one of the first proposals that I've seen from the opposition of any concrete nature, albeit a small amendment to this Bill, but I want you to know that I very much agree.

I think what this does, Mr. Chairman, is really formalize something that has been the hallmark of this administration and that is consultation, Mr. Speaker, and I heartily accept the hon. member's amendment. He may rest assured that we very much agree with the consultation. The hon. member can say, well, you know, why did you take so long, on the one hand. And on the other hand he says, but we want public consultation. Well, Mr. Chairman, the realities are that it does take time to consult, but it's an extremely worthwhile exercise and we heartily accept this amendment.

**Mr. Tchorzewski:** — I thank the minister for that, but I want to make sure that he understands what our expectations are. Now that he's being so benevolent and understanding on something which he should have had in the Bill in the first place, I hope that he will also be just as understanding and just as forthcoming when we demand in his estimates that he provide public consultation on major projects on which the environmental assessment studies and statements are prepared.

And what I mean by that, Mr. Minister, and Mr. Chairman, is a public hearing, an inquiry process in the Millar Western mill situation; a public hearing and public inquiry in the Cargill fertilizer plant, an environmental impact statement which you have announced after the fact.

Now I will be pursuing that, Mr. Minister, and I will be using the words which you have just used here today, which I welcome, in impressing on you that the government better come clean and that the government better be open in all situations, not only in situations which is convenient to the government and is suitable to the government. It should be situations which are important to the public, and I thank the minister for supporting our amendment. And with that, I think we can proceed with the Bill.

Clause 11 as amended agreed to.

Clauses 12 and 13 agreed to.

The committee agreed to report the Bill as amended.

## **Bill No. 36 — An Act respecting a Report on the State of the Environment**

### **Clause 1**

**Mr. Tchorzewski:** — I wish that were so. But, Mr. Chairman, I have fewer questions, but nevertheless some questions.

Mr. Minister, I in this case again indicated that we were supporting this Bill, and that we did that because in our opinion it's long overdue. I indicated in my second reading speech that a lot of what you're going to be reporting on is already being done — in annual reports

and in the estimates when you appear before the House, and in committee, and so on.

My concern about the Bill is still what it was when I spoke in second reading, and that is, although the principle is correct and important and necessary, there are some provisions which I think are major shortcomings. Once again I don't want to be overly critical, but I'm not convinced that much will change simply because the Bill is now there, as long as it is in the hands of the minister, whether it's you or somebody else or another party in government. I'm not convinced that as long as it's in the hands of the minister to prepare the report, who then will put his own editorial content on it, or hers, that it will do anything different than what's already being done.

And so, Mr. Minister, I repeat again what the position of the opposition is, the New Democratic Party, and that is that we need to have a State of the Environment Report; that it's important that it be done and it be done regularly and on time and expeditiously, and that it be done independently.

And that can be helpful to governments; it shouldn't be a hindrance. It can be helpful to governments because ultimately the governments will decide, but they will have a measure by which to decide.

This report, Mr. Minister, should be done independently. So I ask you, why did you not consider that instead of having it being a report of the minister who is under — I'm not being critical here — but under stress and pull from every side . . . He is being pushed by environmentalists; you're being pushed by the industry; you're being pushed by your cabinet colleagues who have political projects like the Rafferty-Alameda ones that they want accomplished. Why would you not have considered that this report be done in some independent way and instead left it in your hands to do with it whatever suits the government?

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

**Hon. Mr. Hodgins:** — Mr. Chairman, I'd like to respond to the hon. member. Firstly, on the hon. member's point that much of this data is already in existence in such things as our annual reports, that is not totally true, Mr. Chairman. In fact this report will bring brand-new information to the Saskatchewan people. It will bring very objective information to the Saskatchewan people. And it will create in fact indexes or statistics that I would compare to such things as the unemployment rate across the country.

Those figures are gathered by government; they are very objective; they are very well-known to people. I'd use the analogy of gross domestic product. Gross domestic product is calculated by government agencies. It is an index which is objective, very quantitative in nature, and really beyond a great deal of question.

So I want to stress, Mr. Chairman, that the essence of this report is something new for Saskatchewan, something that objectively gives indexes or figures or statistics on what is the state of our environment. And it is not in fact a report card on the government's record, as it is more so a

report card on what is the state of the environment out there in specific quantitative measures. And I hope the hon. member recognizes some of the differences with respect to those.

**Mr. Tchorzewski:** — Mr. Minister, who's going to prepare this report? I mean the minister, we know, does not prepare the report. Who will prepare it? Will it be your officials? Will it be some other group that you will appoint, that you will hand-pick? Will it be the Saskatchewan Research Council or some body like that? Who's going to be doing the preparation of such a report and doing the research that's necessary to back it up?

(1645)

**Hon. Mr. Hodgins:** — Mr. Chairman, the finished product or the state of the environment report that the public of Saskatchewan will have access to, and open access to, will be the result of the compilation of a great deal of information from, not only within government but from outside of government. We expect a great deal of co-operation from many of the environmental groups in Saskatchewan, who we welcome their advice and their assistance in preparing this report. We will not only be looking within government for information, but also to some of the outside laboratories or agencies that have technical expertise at their availability.

And I would view it, Mr. Chairman, as a very comprehensive document, a very co-operatively marked document that will be the result of a great deal of work and compiled from many different areas, not only within government but outside government as well.

**Mr. Tchorzewski:** — Mr. Minister, is your department going to sit back and wait for all these people to submit information? Are you going to give them an opportunity in some formal way to make submissions? And then what's the structure to bring it all together and make scientific sense out of it?

This is not just an essay you're going to write here. I mean, it's going to have to be a very scientific document. What's the process that you have in mind in order that this input in fact will: one, have an opportunity to be made; and two, be seriously considered; and three, be incorporated in the final report which you're going to have to table?

**Hon. Mr. Hodgins:** — Mr. Chairman, I would like to emphasize that this most certainly is not an essay like you and I perhaps did in high school or in university. This will be an extremely comprehensive document. It will not be put together and be the product of one person's objective or subjective opinions.

In fact we have, as we speak, a committee who is working and that committee consists of 20 different individuals from throughout government, representing some 15 different agencies. This group of professional men and women will be gathering this information. And to use an example from the outside world, where they may gather some of these statistics, I would use an example of an organization well-known throughout Canada and the United States and that's Ducks Unlimited.

Ducks Unlimited has access to a great deal of information and we would be using that type of information from organizations such as Ducks Unlimited. We'd be using information gathered from such groups as the Saskatchewan Environmental Society who are at present cataloguing an abundance of information and this will be a very serious report. We hope that it will be extremely well done and well received by Saskatchewan people.

**Mr. Tchorzewski:** — Well, Mr. Minister, this is going to be a big job. I don't think you'll disagree with that. It's not going to be something that can be done without some expenditure of money. I have looked at your budget and I find nothing in your budget allocated for that preparation of this first annual report on the state of the environment.

Can you tell me, Mr. Minister, have I not looked in the right place? Or if so, where should I be looking and how much money is allocated, or resources is allocated in order that this first report — because this will be the most important one because it will set a certain base line — where is the provision in your budget for this to happen, Mr. Minister?

**Hon. Mr. Hodgins:** — Mr. Chairman, I've been advised by my officials that this will not be an extremely large cost to government; firstly, because we have the technical expertise and professionals within our department. The 20 different men and women that I spoke of are all government employees, either from the Department of the Environment or from other departments such as Parks and Renewable Resources. So these people are already on the payroll working hard for the people of Saskatchewan as civil servants, and they will simply allocate a period of their time to work on this very important project.

So as far as being a large expenditure of money, labour-wise, this is done within our budget, within the forces that are now available to us. The hon. member will note that there are communications dollars allocated in our budget, and the actual printing costs of this report will come either from that communications budget or in fact may well come from the Environmental Protection Fund, one or the other place.

**Mr. Tchorzewski:** — Mr. Minister, it is well-known that your department is understaffed already. The people in that department have been cut back since 1982 in a massive way. They're doing the best they can. I don't question that.

What you have just said now is that — because this is not something that you can do on the weekend — you have just said that you're going to load down the officials of your department, who already have more to do than one should expect of them, with a full-time project to prepare an annual environmental statement report. It's got to be full-time, Mr. Minister, or what you're proposing here is a waste of time.

That's what you said. You can't be serious. How much, Mr. Minister, is it going to cost to have this prepared?

**Hon. Mr. Hodgins:** — Mr. Chairman, we expect that this document would cost in the neighbourhood of \$25,000

to produce. I want to stress to the hon. member that not all of the people that we spoke of were in the Department of the Environment who sit on this committee. It is a interdepartmental committee. Indeed, officials in our department do work hard; they do have heavy work loads. But, Mr. Chairman, you will know that we have a planning branch in our department that undertakes initiatives such as this, and it is not just an initiative of the Department of the Environment. As I stressed before, this is a co-operative type of a project — co-operation both within government and outside of government.

**Mr. Tchorzewski:** — Mr. Minister, I assume that this legislation will provide for a report of 1990. You agree, okay. And, Mr. Minister, when will the 1990 report be ready? It's for the calendar year. When will it be ready and prepared in 1991 for 1990?

**Hon. Mr. Hodgins:** — We expect that it will be produced and ready by June, 1991.

**Mr. Tchorzewski:** — Well, Mr. Minister, that leads to my final question or two. One of the shortcomings in this Bill, the second one, is that it does not provide a timetable. You could have a report for 1990, Mr. Minister, but it might not be ready, at your discretion or some other minister's discretion, until December, 1991.

So then it doesn't have to be tabled for the public until 1992, a year and-then-some late. So the whole process of what we're trying to accomplish here — where you set indices and base line and in future years you measure to those indices and the base line to see how we're doing — is really a useless exercise. Why would you not have put into this Bill a certain date by which a report has to be ready, in which you have to make it public to the public?

**Hon. Mr. Hodgins:** — Mr. Chairman, this particular Bill provides that reports will be released annually to the public of Saskatchewan. Because the legislature at times has been brought in later in the year, this piece of legislation would give us the ability to actually produce the report earlier than some reports who have traditionally waited for the legislature to be called or resumed.

I can give the hon. member the assurance that starting next year, for the very first time in the history of Saskatchewan, there will be a state of environment report laid out to the public of Saskatchewan, and that will continue on an annual basis, every year.

**Mr. Tchorzewski:** — Mr. Chairman, my final comment is this: that the two problems which I have raised with this Bill are real. And although the government is not prepared to back up its rhetoric with some substance, I can tell you for the record, Mr. Chairman, this opposition and this New Democratic Party is. We are committed — although we're going to vote for the principle of this Bill — we are committed, when the opportunity presents itself to us, to make this report an independent report, prepared independently; not at the discretion and the editorializing by a minister of the Crown. That's our first commitment.

Secondly, we're committed to making sure that this

legislation will have in it a specific time by which it is required that the report be ready and prepared and be released to the public, whether the House is sitting or not.

I wish it had been in this legislation; it's not. But the principle of the Bill is good, something we have actually proposed, and therefore we'll be supporting the Bill because we agree with the principle. But if and when . . . or maybe I should say when the opportunity presents itself, we'll be making some major changes to make sure that the Bill is really what it ought to be and not simply another cosmetic piece of legislation that can be used for the government's purpose for public relations and cosmetic purposes at its will.

Thank you, Mr. Chairman.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

The committee agreed to report the Bill.

### **Bill No. 12 — An Act to amend The Municipal Hail Insurance Act**

Clauses 1 to 23 inclusive agreed to.

The committee agreed to report the Bill.

The Assembly recessed until 7 p.m.