

The Assembly met at 2 p.m.

Prayers

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

**Mr. Scott:** — Thank you, Mr. Speaker. It is my pleasure, Mr. Speaker, to introduce to you and through you to members of the Assembly, 17 grade 5 students from Dr. Isman elementary school at Wolseley, and they are seated in your gallery.

Joining the students are teachers Tim Taylor and Donna Tourigny; chaperons Stacey Jeeves, Jill Blenkin, and Heather Martineau; and bus driver Mark Beliveau who took a day off from seeding to be here today.

I'd ask all members to join with us in welcoming these people here today.

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

**Hon. Mrs. Teichrob:** — Mr. Speaker, it's my privilege on behalf of my colleague, the member from Saskatoon Fairview, to have the opportunity to introduce to you and through you to the other members of the Assembly, 46 grade 8 students from Confederation Park School in Saskatoon, accompanied by their teachers, Ford Mantyka and Gery Ross.

I will be meeting them after question period for photos and refreshments, and the questions I'm sure they will have about the proceedings in the Assembly. And I ask all members to join me in welcoming them.

**Ms. Hamilton:** — Thank you, Mr. Speaker. I would like to introduce to and through you to the members of the Assembly a woman who works very hard for UNICEF (United Nations Children's Fund) through the sale of UNICEF cards, Betty Lewis, and with her today is a friend of Betty's and a woman who lives in Wascana Plains, Eileen Schuster, and I ask the members of the Assembly to join me in welcoming them here this afternoon.

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

**Mr. Trew:** — I thank you, Mr. Speaker. It's my pleasure today to introduce two people, one seated in the west gallery with the Confederation Park group is Joanne Karolot. Jo happens to be the daughter of my best friend in the entire world, Garry Karolot and his wife, Donna. It is indeed an honour for me to welcome you to the legislature today.

The other person, Mr. Speaker, that I want to make note of is seated in your gallery, Brodie Anderson who was the researcher/writer for the Standing Committee on the Environment. And I noticed Mr. Anderson here today. I think he has some interest in something that may be happening later. I ask all members to welcome these two people here.

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

**Hon. Mr. Lautermilch:** — Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to members of the legislature a group of 25 grade 9 students from Boucher School in Prince Albert. Accompanying them today are teachers Bob Lawton, Lee Goodfellow, Linda Greyeyes and Steve Kasyion. I'd like to ask all members to give these young folks a warm welcome to the legislature.

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

**Mr. Swenson:** — Thank you, Mr. Speaker. Mr. Speaker, it's my pleasure today to introduce to you and all members of the Legislative Assembly 25 grade 4 students from the Pense School and they are seated in the east gallery today, Mr. Speaker. They are here to have a tour of the building and to watch proceedings here in question period.

They're accompanied today, Mr. Speaker, by their teacher Mrs. Borsa, and chaperons Mrs. Simpson, Mrs. Murray, Mrs. Holt, and Mrs. Woods. I'll be having the opportunity to have the young people question me after question period and join me on the steps for drinks. So I would ask all members of the Assembly to help me welcome the grade 4 students from Pense, Saskatchewan.

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

**Mr. Koenker:** — Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you today a friend from the constituency of Saskatoon Greystone who is also a regular and avid reader of *Hansard*, and that is Mr. Peter Knelsen sitting in your gallery. And I'd like to welcome him and ask all members to welcome him as well.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. I would like to introduce to you and through you to the members of the Assembly Mr. Jim Chase, the president of the Saskatchewan Construction Association who is seated in your gallery today, Mr. Speaker. He is here to observe the proceedings of the Assembly as he often watches what we are up to in this Assembly on behalf of his organization.

I would also like to welcome the ladies from UNICEF, and please help me to welcome these people today.

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

## ORAL QUESTIONS

### Government Contracting Policy

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, my question is to the Premier. Mr. Premier, yesterday in the House, the Minister of Labour was asked whether or not your government had a union-only

preference with awarding contracts, government contracts. And his answer was simply no, that no policy exists.

Mr. Premier, I just wanted to ask that again today: does your government have a policy of union-only contracts for government contracts?

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

**Hon. Mr. Romanow:** — Mr. Speaker, the hon. member asked that question or somebody did yesterday, and I believe the Minister of Labour replied that there is no union-only government contract policy.

There is an interim policy which seeks to follow the model which worked successfully in the 1970s. In the course of the development of that interim policy, discussions have taken place with both the trade union movement and the concerned employers. What we're trying to do is to develop a policy which is fair to the taxpayers and fair to all of the business and union and non-union people.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, we just want to be perfectly clear on this. Does, for example, SaskPower have a policy in place that restricts SaskPower contracts to unionized contractors? Does that policy exist, sir?

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

**Hon. Mr. Romanow:** — Mr. Speaker, if you permit the question, obviously in question period, I'm prepared to do the best that I can by way of answer. I think the answer I'll have to give the hon. member is, to be absolutely certain I'll take advice from the Saskatchewan Power Corporation, but I believe the earlier answer which I articulated is the answer both within the regular operations of government and the Crown corporation side as well.

The Crown corporation side, in fact, I think, is working in its own internal analysis with a view to recommending an appropriate policy by sometime fall of 1993.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, I think appropriate policy's already been decided. I have a letter here dated May 14 from Warren Elder who is the project and labour contract buyer with SaskPower. It reads and I quote:

Effective immediately, construction contracts at the corporation's four major thermal power plants will be awarded to unionized contractors who are headquartered in Saskatchewan.

Mr. Premier, I don't think you can be any more explicit than that. SaskPower is only contracting to

unionized contractors in this province. Mr. Premier, why is your government trying to mislead this House and the people of Saskatchewan . . .

**The Speaker:** — Order, order. Order. Order! I have called for order and I ask the member . . . By insinuating that the government is trying to mislead you are using unparliamentary language, and I ask the member to withdraw those words "trying to mislead." I ask the member to withdraw those words "trying to mislead."

**Mr. Boyd:** — Thank you, Mr. Speaker. I will withdraw that comment.

Mr. Premier, why are you saying that SaskPower does not have a unionized contracting program in this province when indeed we can see in their tendering calls that they do have that.

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

**Hon. Mr. Romanow:** — Mr. Speaker, if the hon. member would have paid careful attention to my first answer in response for his first question, he would see that there is no contradiction in what I've said. His first question . . . (inaudible interjection) . . . No, no, just listen to me for a moment and learn something.

You asked the question of whether or not the government had a union-only policy, and I said that that was not the case and I gave you the description of the policy of the '70s, and I talked to you about the interim policy, and I talked about the Crown corporations policy being worked on now. You take that example which may be a very large project involving the skilled work and the unionized specialty and expertise of the people involved in that, and translate that to mean a union-only policy in all instances. And that's not right.

That may be union, but it's not correct to conclude that everything is union. And what you should do is be honest with the people and with this House when you ask these kinds of questions.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, I'll be honest with the people of Saskatchewan if you'll be honest with the people of Saskatchewan, sir. I think you've been caught not telling the truth on this matter, Mr. Premier, and now you're digging yourself in even deeper.

I have another tender call from SaskPower. This one has to do with the tank supply and erection at Queen Elizabeth power station in Saskatoon. It reads, Mr. Speaker, and I quote:

It is a requirement of this Contract that the Contractor has a collective agreement or will obtain a collective agreement with a trade union prior to commencement of the work.

Mr. Premier, this is a major change in the policy of

SaskPower. There was no formal announcement of this policy change, and now you stand in your place and say that the policy doesn't exist. Well, Mr. Premier, I believe, and I think the people of Saskatchewan believe, that you do have a policy with regard to union-only contracts in this province.

Mr. Premier, will you come clean and admit to the people of Saskatchewan that you do have a union-only policy with respect to government contracts?

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

**Hon. Mr. Romanow:** — Well, Mr. Speaker, the answer which I gave the hon. member before, stands. We have taken the position as a government that the approach which worked so well in the 1970s, with modification and subject to consultation by the construction industry and the trade union movement and the people of Saskatchewan, can work very well in the 1990s.

We think that the days of union bashing that you and your friends indulged in are gone. The idea is to get Saskatchewan expertise, get the work done as efficiently and as capably and as well done as possible at the best price possible in fair and open tender. We think it can be done. It's been done in previous periods and that is exactly what we're working on.

Now if you asked the question, is the government policy only union straight across the piece, the answer is as the Minister of Labour has said and as I have said in my first answer to you.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, I wonder if you could let the Assembly in on this this afternoon. Do any other Crown corporations have a union-only policy? For example, does SaskTel have a union-only policy with regard to government contracts right now?

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

**Hon. Mr. Romanow:** — Mr. Speaker, the issue is very clear, very clear. The question is: does the government have a union-only policy? The answer to that is no. No, we don't.

You do not accept that. You and your friends don't accept that. No. So there's nothing that I can say other than to repeat it again what I've told you, what our policy is, and that is across the piece and working on an approach which is fair to everybody in the province of Saskatchewan.

I know fairness is a word that's foreign to the Conservative Party. I know that integrity with respect to public finances is foreign to the Conservative policy. But I tell you these are the hallmarks of our tendering policy in Saskatchewan.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, what is very clear is you are not being straight with the people of Saskatchewan. That's what's clear.

Mr. Premier, I have another tendering package from SaskTel this time, project number 982850 for leasehold improvements at 8th Street in Saskatoon. Section 2.1 of that contract tender call reads:

Contractors should note that in awarding the work for this project SaskTel's preference is to award to Contractors that are unionized. In analysis and comparison of Tender Responses (Bids), SaskTel will consider as an evaluation factor whether or not the Contractor is unionized. Contractors should note that whether a Contractor is unionized may be the determining factor upon which a decision to award the work for this project is made.

I don't think it can be any more clear, Mr. Premier. Your government does have one. Why don't you stand in your place and admit that you have a union-only preference?

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

**Hon. Mr. Romanow:** — Mr. Speaker, the hon. member simply refuses to accept the statements of the government and the facts of the government. He simply refuses to do this.

Look, if the question is that on particular projects the bid is made on the basis of union preference, based on documents that you have there, that's always been the case — even during your regime. If you seek to extend that to say that it's union only under all circumstances, you're wrong — you're wrong.

So I mean that's the simple truth of the matter. I've said this to you before; that's the way you operated. And you people just simply ignore the facts. So please, why don't you wake up and smell the coffee? Get real for a change.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, Mr. Premier, how . . .

**The Speaker:** — Order, order. I just want to ask the people in the galleries not to participate in the debate either by clapping or whatever means that you use. Please do not participate in the activities on the floor.

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, how many more examples do we have to bring forward in this legislature before you'll admit that that is your policy? How many more do we have to?

I have the project agreement here, Mr. Speaker, that went out for the second tender calls for both the Melfort to Weldon and the Melfort to Codette pipelines. And it reads:

... every new Employee whose employment commences hereafter shall, within thirty (30) days after the commencement of his employment, apply for and maintain membership in a Union as a condition of employment ...

That's what that tender call said, Mr. Premier. That's what the tender call said that went out with respect to those two projects, Mr. Premier. Mr. Premier, why do you continue to tell the people of this province that there is no such policy when after example after example it is clear that is indeed the policy of your government.

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

**Hon. Mr. Romanow:** — Mr. Speaker, I should ask the hon. members opposite, when they were in government, whether or not they had a union-only policy when it came to constructing the upgrader. What was the answer to that? The answer is yes.

I should ask the hon. members opposite, when they had a tender out, whether it was a union-only operation when they were building Shand, Rafferty-Alameda. You know that project, the one there's no water behind, the one they look down from the satellites and say what in the world's going on down there. You understand that project. That was union-only too. That was you. You people insisted on it.

And for me to conclude under those circumstances that all that you had was a union-only policy would have been ludicrous, just as ludicrous as your questioning is today on case by case of our policy.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, it was you who made the promise at the SUMA (Saskatchewan Urban Municipalities Association) convention that your government would not impose a union-only contracting policy in this government. It was you who made that promise, sir, not anyone else. You and your government, that's who made the promise to the SUMA convention, Mr. Premier.

When will you come clean with the people of this province and admit that that is your policy? Why have you implemented discriminatory tendering practices when both union and non-union companies in this province are opposed to that?

At the Saskatchewan chamber ... or Saskatchewan Construction Association, their policy is clear. Their membership says ... and it is also made up of both union and non-union contractors, and both groups have consistently voiced strong opposition to union preference in every survey conducted on the subject.

Their policy goes on and says that it should not exclude workers or contractors from freely and fairly competing with public work support by all taxpayers of Saskatchewan and must be condemned by all

fair-minded people.

Mr. Premier, please, please, sir, admit to this Assembly this afternoon that that is indeed the policy of your government.

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

**Hon. Mr. Romanow:** — It's not the policy of the government, Mr. Speaker.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Premier, that is exactly why business groups all over this province are calling for an opportunity to sit down and talk with you, sir, because they don't believe you. And the people of Saskatchewan don't believe you any more when you talk about these kinds of things, Mr. Premier. They don't believe you because you say one thing and you do exactly the opposite.

That's the way your government has been right from the start, sir, and that's the way you continue to operate here. We bring forward example after example after example of union-only contracting that your government has put forward and you say no policy exists.

Mr. Premier, I'll give you one last opportunity. Will you now admit that you do have a union-only contracting policy?

**Hon. Mr. Romanow:** — I tell you, Mr. Speaker, I'm terrified to know that this is my last chance given to me by the member from Kindersley. Boy oh boy, he strapped on his six-shooter; he's got his cowboy boots on and his cowboy hat on — not quite sure in the right position; maybe it's facing South, maybe it's facing East — and he's ready to pull the gun out, and he's saying to me this is your last chance.

Well you know something? Even with that last chance, I'm going to give you the same answer that we've been giving you the last couple of days — that is not the policy. Our policy is fair employment for people in the province of Saskatchewan, union and non-union. And we're in consultation with the construction association and the chamber and with the union movement, and we're doing what is right for the people of the province of Saskatchewan. And you know something? That's a happy change after nine and a half years of your bungling up.

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

### Negotiations on Co-op Upgrader

**Ms. Haverstock:** — Mr. Speaker, my question is directed to the Premier. Mr. Premier, your approach to the NewGrade upgrader is sending some very strong signals throughout the investment community. And I had the opportunity to meet yesterday with Mr. Empey prior to your officials meeting with him, and it seems to me that the issue here is your government's approach to so-called negotiations.

There appear to be contradictions from the former minister responsible for CIC (Crown Investments Corporation of Saskatchewan) who said a few months ago that breaking this deal, and I quote, was not a desirable way to do business, because it is basically a betrayal of trust. Your Finance minister stated, and I quote, politically it would have been far more expedient if it would have been a multinational.

And this morning I read that negotiations haven't been going well because the new minister in charge has supposedly been negotiating since January and has never seen a copy of the proposals made by Federated.

Mr. Premier, who is running the show, and how can negotiations be serious if you're government hasn't informed itself of what the other party is offering?

**Hon. Mr. Romanow:** — Mr. Speaker, unfortunately the hon. member's question is based on a wrong understanding of the facts. The offer which was made yesterday by Mr. Empey, I believe, on behalf of Federated Co-ops Limited, was an offer which was not submitted to the Government of Saskatchewan. It was an offer which was submitted to Mr. Justice Estey as part of the terms of reference of the Estey Commission, which terms of reference was mediation of the dispute. Mr. Justice Estey considered that offer and presumably in his finding, rejected it, because what he said in his finding was the layout of how this deal could be salvaged and saved.

I remind the hon. member what Mr. Justice Estey concluded was that the project had run financially aground, that it was not able to sustain itself. And I might add was entered into 10 days before the vote in 1986, contrary to all of the advice, documents, legal and otherwise — which documents will be made public very shortly — by the government opposite, as it was the government opposite in their haste to get re-elected.

Now that's the situation. We saw that for the first time yesterday. So from that point of view, I will be making a response in due course with respect to that document.

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

**Ms. Haverstock:** — Thank you, Mr. Speaker. Mr. Premier, I take it from what you're saying that you have not met personally with any team of people or individuals from Federated Co-op, given your comments, that you are unaware of Federated Co-op's proposal to come to the table with \$50 million. And can you explain why, after paying hundreds of thousands of dollars for the Estey report, the government, yourself, and the minister responsible who had supposedly met with representatives from Federated, would not know what options Federated had ever put forward?

**Hon. Mr. Romanow:** — Mr. Speaker, I think the hon. member is absolutely confused on the facts — I say

this with the greatest respect to her; I don't mean this in any political sense or demeanour — the facts are very jumbled there.

You have to understand that since the appointment of Mr. Justice Estey, the process was under judicial or semi-judicial proceedings; that is the situation. When we met . . . for example, I met once in concert with Mr. Justice Estey at his request. Mr. Thompson and Mr. Empey were there from FCL (Federated Co-operatives Ltd); Mr. McKnight was there from the federal government; we had one or two of our officials. Those are the kinds . . . that was the one discussion which took place under the aegis of Mr. Justice Estey.

Now you have to understand that we set up the Estey inquiry because prior to Estey we simply couldn't get any indication whatsoever from FCL that they wanted to renegotiate this deal — none. And I want to tell you, if FCL is of the view that the deal is such a good deal, I'm prepared to sell it to them for \$1, obligations included. They can take it right now. There's the offer for \$1. No? If that's not acceptable to them, they should tell us why not.

So my point is, your facts are wrong here. I mean the process is there was negotiation that was going on, then Estey took over, mediation, and then the Estey report. And what we've undertaken here is a situation of taking up this proposal of Mr. Empey's yesterday, which is interesting and we welcome it. And we're going to look at it seriously and we'll be responding in due course.

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

**Ms. Haverstock:** — Mr. Premier, it's interesting that you used the word "process." Mr. Premier, can you tell me that you have carefully assessed the economic consequences of threatening to break legal and binding contracts through legislation?

**Hon. Mr. Romanow:** — Well I say to the hon. member that this is not our preferred route, by a long shot. I don't want to even consider this. I endorse the words of the Minister of Labour of several months ago, we want a negotiated settlement. And if someone says that it would be immoral to break a contract, perhaps so; but there's another immorality here and the immorality is a \$600 million obligation, Madam Member — \$600 million on everybody, every man, woman and child in this Chamber in the province of Saskatchewan which every rating agency and every bank knows about.

We have all the obligations. Now under the circumstances, if you were in this chair you would have no other choice but to seek a change. I want a negotiated change on a fair solution recommended by Estey. It doesn't have to be in every detail, but as long as the principles are there. And you might just tell us, not only yourself but the Leader of the Conservative Party, whether you people endorse Estey, because if you do this would be to the advantage of the taxpayers and also to the advantage of putting this project on a viable, sound financial and economic basis as Mr.

Justice Estey recommends.

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

**Ms. Haverstock:** — Mr. Premier, your approach to attracting new investment in this province has been to shout from the rooftops just how bad our financial situation is, and you have succeeded in convincing people that we're bordering on financial bankruptcy. And now you seem intent on convincing them that Saskatchewan is not only bankrupt of money, but it's bankrupt of principles as well.

Mr. Premier, will you agree to back off with threats of expropriation and passing legislation that will nullify legal and binding contracts before you end up scaring off the entire business world, whose attention you have indeed attracted by the kinds of threats that have been made.

**Hon. Mr. Romanow:** — Well, Mr. Speaker, the hon. members in this House cannot have it both ways or all ways. They cannot say on the one hand that they stand for fiscal responsibility and attack us on the basis of having too many taxes or too many cut-backs . . . and too many cut-backs. And as the hon. member would in her question now, attack us by saying that in the absence of an agreement, legislation should not be implemented . . . (inaudible interjection) . . . No, in the absence of an agreement. I'm talking about in the absence of an agreement.

Now if the hon. member and the members opposite are saying that the taxpayers of Saskatchewan should remain on the hook for \$600 million-plus, if you're saying that's the position, then I say to everybody in this House, that is the height of irresponsibility.

Look, I want to ask you and I want to ask the Leader of the Conservative Party: do you endorse the recommendations of Mr. Justice Estey to get out of this quagmire? Because we do. It's going to cost us money, but we do. And if FCL agrees, the federal government will agree, and we can put this chapter behind us and go on to build the province of Saskatchewan.

Don't tell us that we should walk away from a \$600 million obligation. Tell us, do you support Estey, yes or no?

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

**Ms. Haverstock:** — Mr. Premier, I'm delighted that you raised the words fiscal responsibility. Consider this possibility . . .

**The Speaker:** — Order, order. I ask the members to let the member have her say and ask her question without any interruptions.

**Ms. Haverstock:** — Consider this possibility, Mr. Premier, that if Federated Co-op could put this project into insolvency today, if the courts declared that the liabilities were greater than the realizable assets — and it's important to know exactly the position of the province and the taxpayers — if that were to happen

today, would we be left holding the bag for the entire debt with no refinery to hook onto should the government decide or think that it could operate without Federated? Or would we then be faced with buying the refinery at Federated's price and carrying the entire debt anyway?

Now what is your plan in the event, Mr. Premier, that this happens? How are you going to legislate that one away?

**Hon. Mr. Romanow:** — Again I say with the highest of respect for the hon. member, I say this very sincerely, there is high confusion on the part of the member about this deal.

First of all, the deal is this: that if NewGrade goes bankrupt or insolvent, in default, we pick up the liabilities — \$360 million, plus the 250 we've already pumped into it. And we have to return to the FCL, the refinery, whole and safe. The only thing we can do is scrap the parts of that deal and pick up whatever we get by salvage. That is what the contract says. That's the deal.

Now if they're not prepared to renegotiate . . . that's the deal that the Conservatives made. If they're not prepared to renegotiate that, hard to believe that they'd be prepared to negotiate to sell the refinery. That doesn't make sense.

So you see we are caught, all of us, not the government. You're caught . . . oh, poor Roy, the hon. member says opposite there. Because exactly this is it: the approach of the Conservative Party was, going into the 1991 election, of a scorched earth policy and in 1986, and what they did is they ran up bad deal after bad deal after bad deal. In the words of the former deputy premier, Eric Berntson, they wanted to make this province ungovernable by their financial dealings, and we're here to clean up the mess. And I'm calling on them to acknowledge that fact and join us in helping to clean up the mess.

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

## MINISTERIAL STATEMENTS

### Price Club Canada Inc.

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I want to thank you in advance, and I'm pleased to rise to inform the Assembly of an announcement today by Price Club Canada Inc. This well-known company has selected our province, Mr. Speaker, as a site of the new 120,000-foot warehouse now under construction.

Mr. Speaker, Price Club has chosen Saskatchewan as a site of it's first such facility in western Canada. Another first for Saskatchewan, Mr. Speaker, by a well-known national company that sees our province as a superior location from which to do business.

As the members know, a major goal of the *Partnership for Renewal* economic strategy I announced last fall was to enhance the business environment in

Saskatchewan to enable companies to locate here and to be globally competitive.

Through partnership, Mr. Speaker, government, business, labour, communities, all working together, are able to achieve this, and by the kind of fiscal responsibility that creates confidence in the future of our province. That is exactly what we are doing here in Saskatchewan.

Mr. Speaker, we are already seeing results. Sears announced plans to locate its western Canada call centre in Regina with a total employment of 900 expected by 1995. A \$20 million agreement between Atomic Energy of Canada and the province was announced in December bringing 140 jobs to Saskatoon. And now with the Price Club announcement more than 100 workers are at work on the construction site and more than 150 full-time and part-time employees will be required when the store is operating.

Price Club Canada demonstrates the initiative and the entrepreneurial spirit that has built Saskatchewan's private business sector into a strong, productive element in our provincial market-place. The business sector is a powerful force in job creation and stimulation of the local economy.

Most of Saskatchewan's economic growth comes from small and medium-sized businesses. This sector, the co-operatives, are in many ways the backbone of our economy and they offer tremendous potential for growth. Price Club will give these businesses the opportunity to benefit from wholesale prices even when purchasing in smaller quantities. Again, Mr. Speaker, another way to enhance their competitiveness.

I would ask the members to join with me now in welcoming Price Club Canada to Saskatchewan. I know they will be valued members in the business community and I ask you to join with me in wishing Price Club many years of successful business in our province of Saskatchewan.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Minister, certainly we would join with you in welcoming Price Club Canada to Saskatchewan. It's always indeed a pleasure in certainly an important time when a company decides to select Saskatchewan as a place to do business.

Mr. Speaker, I think the question has to be though is what did your government possibly have to do with this . . . (inaudible interjection) . . . And the minister responds from his seat, a positive attitude. Well, Mr. Speaker, the positive attitude exhibited by the government opposite and particularly the Premier is to stand up and tell everybody that the province is almost bankrupt, to tell everybody that they're going to create jobs ad infinitum across Saskatchewan, 16,000 jobs, none of which have been created. We're down in jobs in this province.

So, Mr. Premier, even though there are initiatives that are coming forward, none of them are a result of anything you had to do with, Mr. Premier. I would remind you that the AECL (Atomic Energy of Canada Ltd.) agreement was a part of an initiative of the previous administration, not anything you had to do with, sir.

So while we certainly join with you, Mr. Minister, in welcoming Price Club to Saskatchewan, I don't think, sir, you can take any credit for it.

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

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

**Ms. Haverstock:** — With leave to make comment, please, to the ministerial statement.

Leave granted.

**Ms. Haverstock:** — Thank you very much. I just wish to join with the colleagues in the House in congratulating Price Club Canada for coming to our province. It's always in our best interest to have people in Saskatchewan being working people, being able to be part of our communities and paying taxes and contributing to our quality of life. So I'm absolutely delighted that they've come to our province.

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

## INTRODUCTION OF BILLS

### Bill No. 85 — An Act to amend The Saskatchewan Medical Care Insurance Act

**Hon. Ms. Simard:** — Mr. Speaker, I move that a Bill to amend The Saskatchewan Medical Care Insurance Act be now introduced and read the first time.

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

### Bill No. 86 — An Act to amend Certain Health Statutes and to repeal Certain Other Health Statutes

**Hon. Ms. Simard:** — Mr. Speaker, I move that a Bill to amend Certain Health Statutes and to repeal Certain Other Health Statutes be now introduced and read the first time.

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

## ORDERS OF THE DAY

### MOTIONS FOR RETURNS (Not Debatable)

**Hon. Mr. Lingenfelter:** — Mr. Speaker, as it relates to motion for return (not debatable) 212, I would request it be converted to motion for return (debatable).

**The Speaker:** — Motion for return debate.

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I move that we stand items 1 to 5.

**The Speaker:** — . . . on private Bills.

**Hon. Mr. Lingenfelter:** — Mr. Speaker, what I would propose and move is that we move to adjourned debates, government orders . . . or pardon me, the private members, item no. 6, concurrence on the report on the Standing Committee on Environment.

Leave granted.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### ADJOURNED DEBATES

#### MOTIONS

#### First Report on the Standing Committee on the Environment

**Mr. Trew:** — I thank you, Mr. Speaker. Mr. Speaker, it's my honour to address the Legislative Assembly with a few comments about the Standing Committee on the Environment and its first ever report to the Legislative Assembly of Saskatchewan.

The committee was struck as we all know by the legislature in June of 1992 and the positions were filled, Mr. Speaker, with what are clearly the wisest and the best people available. The proof is in the pudding so to speak, as before our committee even held its first public meeting, not one but two of its members were moved from the Standing Committee on the Environment into cabinet. The member for Moose Jaw Wakamow and the member for Prince Albert Northcote both moved directly into cabinet.

We then activated the committee, agreed on the process, hired our researcher/writer who was Mr. Brodie Anderson, and we started holding our public hearings across the province. Shortly thereafter we lost yet another member. The member from The Battlefords became a cabinet minister, and the betting then was rampant within the standing committee as to who would be the next removed from the Standing Committee on the Environment and moved into the Environment.

(1445)

The Clerk's office was responsible for the arrangements, accommodations, and so on, and did generally a good job, Mr. Speaker, although their judgement was called into question when we were flying from Prince Albert to Buffalo Narrows and Mr. Anderson made his way up to the front of the plane and asked the pilot, who was Ray Cameron, said, how's it going? And Ray turned around and said, I don't know; I'm lost. Fortunately the plane made it to Buffalo Narrows and Mr. Cameron proved to be just an excellent pilot with a very quick wit that made our northern swing of the tour all the more memorable.

Mr. Speaker, the report has been bound and presented

to the legislature. The report itself is 44 pages and then there are appendices. There's 33 recommendations made in it. And it all culminates with a summary recommendation which is, it is our recommendation:

. . . that the Minister should use this report as the foundation for further consultation and preparation of new environmental rights and responsibilities legislation. The Committee recommends that existing government structures be used wherever possible to implement the recommendations in this report. (And further) Bill 48 of 1992 should not be reintroduced.

Mr. Speaker, just before I take my place, I do want to give a special thanks to all committee members who worked very diligently. The vice-chairman from Indian Head-Wolseley certainly pulled his load and then some. The opposition member from Souris-Cannington was ever diligent and added greatly to the committee. The member for Regina Lake Centre we could always count on. The member for Qu'Appelle-Lumsden — what can I say? — there at every turn and always ready to help. The member for Kindersley was diligent in his pursuit of getting the report finalized.

After that, in terms of members, in our report we allow either one star for those who were snapped up by cabinet, two stars for those who were appointed to the committee but were unable to serve, and three stars for the most recent additions. So our committee consists of the stalwarts who got no stars, and then all of the other members and former members are either one, two, or three-star members.

The staff — Greg Putz was Clerk to the committee, and I want to thank Greg for the work that he did in making this standing committee work so very, very well. And in conclusion of course, Mr. Speaker, a very special thanks to Mr. Anderson for his diligence in being the researcher and writer as we prepared this, the first ever report by the Standing Committee on the Environment, a report of which all members are very, very proud. Thank you, Mr. Speaker.

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

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I'm quite pleased to join with the chairman of the Standing Committee on the Environment to speak on this concurrence motion. And I want to say from the outset, Mr. Speaker, that the fact that the committee's main recommendation is to throw out the Bill, should not be seen as a condemnation of the government. I want, on the contrary, to commend the government, Mr. Speaker.

One of the most important aspects of this report is not the fact of the contents of the report, as important as they may be. Rather perhaps the single most important aspect of this report is the fact that it exists at all. By that, Mr. Speaker, what I mean is that the process involved in inquiring into the Bill, in discussing the many aspects of the Bill, and in hearing the concerns



of the affected people, that process, Mr. Speaker, is the importance of what we are discussing today.

It is probably the first time — certainly the first time since I have been a member — that a committee was used for a fully and cooperative involving of the public and a coming to a consensus position that could be reported back to this Assembly. This process and the cooperative spirit of the people involved should serve as a model to the government, Mr. Speaker, and I must say to each member in this House.

There were two critical components that made this process work. The first was the executive government's willingness to allow the Bill to go to a committee. That often is a reflection of politics and therefore not a sufficient component. By itself that willingness means nothing.

But the second component that set this committee apart from the other existing standing committees and past practice, was the determination of the individual members to actually work on the Bill and not on collective partisan agenda, government versus opposition.

With all due respect, Mr. Speaker, that is not happening in Crown Corporations Committee and it is not even happening in Public Accounts. In those committees the pattern is that the NDP (New Democratic Party) members act as agents of the executive government. There is no role for public input or hearings outside of testimony in those committees.

In the Environment Committee, all members came to the task with a sincere desire for a good Bill that recognized the concerns of all the stakeholders. And so that they do not get lost in the shuffle, I want to particularly recognize those members who could not serve the committee for having the questionable judgement to accept cabinet appointments.

Seriously, Mr. Speaker, the approach of the member for The Battlefords was very helpful in setting the tone for the committee, and he deserves some credit for the final product. Perhaps the Premier would consider shifting him again to the back benches where the Environment Committee could continue to use his talents.

But the point, Mr. Speaker, is that each of the members made a solid contribution and as a result the process was productive. What we have in the report is not my ideal outlook on environmental legislation. There are still areas that I think go too far and others that I think do not go far enough. And I'm sure the report does not reflect the ideal of any one member nor of any one presenter. But it can be said with certainty that the report represents a fair and comprehensive consensus document.

One of the flaws in the process is that in part it was not allowed to fully operate by the government, and I'm sure that this was unintentional. While the committee was working, while the process was going forward,

the government was drafting legislation that should have waited — waited for the recommendations from the committee before bringing forward new legislation affecting the environment and natural resources.

An example, Mr. Speaker, if you look at The Natural Resources Act currently before the Assembly, you will find that it contains much that is discussed by this report, some of it contrary to the recommendations of this report. I would hope that that Act itself would be referred to the committee or at least withdrawn to give the drafters an opportunity to incorporate the committee's recommendations on those issues where there is relevance. In future it would be a positive step if the government froze legislative action on matters related to items under study by a committee.

That aside, Mr. Speaker, I want to implore the government to make greater use of this process. Right now, Mr. Speaker, we have Bills 41 and 42 before other standing committees. Unfortunately, to get them into committee the opposition had to agree to deal with the Bills before the end of this session. The government members come to the committee with material prepared by and on behalf of executive government. There is no opportunity to visit with experts and interests, whether professional, academics, or advocates, like the taxpayers' association.

Contrast that with the extensive work done by our committee, the Environment Committee, who sat down and asked the question, literally, Mr. Speaker, who can we invite to be a part of this process. That was the question, and as a group we came up with an extensive list of people to notify and involve. This is legislating at its best, Mr. Speaker. It is the surest way for a government to stay out of trouble and for an opposition to serve an effective and constructive role.

I say to the government that the sky has not fallen for any lack of any particular piece of legislation for the past hundred years. Another 30, 60, or 90 days will not remove the last pillar from the clouds. What the additional days do mean is public input and public acceptance. It is the best advice you will get and you would be well advised to accept it, although, Mr. Speaker, in my partisan capacities I would hope that the government would ignore such advice, particularly with the Crown corporations.

Finally, Mr. Speaker, I want to thank our Clerk and staff who did a great job in providing us support in some pretty far-flung places. I want to thank the Law Clerk who did likewise. I want to thank and congratulate our research assistant who managed to get the sense of what the members wanted and for taking the word "iterative" out of the report. And, Mr. Speaker, I want to thank my fellow committee members for whom I acquired a much greater appreciation than would have been possible had I simply listened to their front bench day after day.

Simply put, Mr. Speaker, this report is a fine example of a process of cooperation and common purpose

which benefits the people and legislators of this province.

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

**Hon. Mr. Wiens:** — Thank you. Mr. Speaker, I would like to, as the minister in charge of the area in which the Bill was drafted even though the committee is reporting to the House, express my appreciation to all of the members of the committee and the staff that worked with them, and the staff of the legislature that worked with them in bringing forward this report.

It is true about environmental matters and it is true about many other matters in society, that the best advice is that which is sought broadly and done in the circumstance described by members speaking on both sides of the House where everyone is able to share their views and blend their views with the views of the others around the table.

I commend the committee for its work, thank them for their recommendations, and, as one member of the legislature, receive with pleasure the report of the standing committee.

Motion agreed to.

**Hon. Mr. Anguish:** — Mr. Speaker, by leave of the Assembly I would move that we go into Committee of the Whole for consideration of private Bills No. 01 and 02.

Leave granted.

#### PRIVATE BILLS

#### COMMITTEE OF THE WHOLE

##### **Bill No. 01 — An Act to amend An Act to Incorporate Aldersgate College**

Clauses 1 to 3 inclusive agreed to.

Preamble agreed to.

The committee agreed to report the Bill.

(1500)

##### **Bill No. 02 — An Act to incorporate the Bethany Bible Institute and to amend An Act to incorporate Mennonite Brethren Church of Saskatchewan**

Clauses 1 to 14 inclusive agreed to.

Preamble agreed to.

Schedule A agreed to.

The committee agreed to report the Bill.

#### THIRD READINGS

##### **Bill No. 01 — An Act to amend An Act to Incorporate Aldersgate College**

**Ms. Murray:** — I move, Mr. Speaker, that Bill No. 01, An Act to amend An Act to incorporate Aldersgate College be now read the third time and passed under its title.

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

##### **Bill No. 02 — An Act to incorporate the Bethany Bible Institute and to amend An Act to incorporate Mennonite Brethren Church of Saskatchewan**

**Mr. Neudorf:** — Mr. Speaker, I move that Bill No. 02, An Act to incorporate the Bethany Bible Institute and to amend An Act to incorporate Mennonite Brethren Church of Saskatchewan be now read a third time and passed under its title.

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

**Hon. Mr. Anguish:** — By leave of the Assembly, I move that we proceed to government orders, starting with second readings, item 6, Bill 82.

Leave granted.

#### GOVERNMENT ORDERS

#### SECOND READINGS

##### **Bill No. 82 — An Act to amend The Change of Name Act**

**Hon. Ms. Simard:** — Thank you. Mr. Speaker, I rise today to move second reading of The Change of Name Amendment Act, 1993.

By way of background, the Uniform Law Conference of Canada provided each province a draft of a model change of name Act. Provinces in turn were invited to review their legislation in the light of this non-binding model Act. With respect to Saskatchewan's change of name legislation, three areas were recommended for change.

The first set of amendments, Mr. Speaker, revise the definitions of parent and lawful custody in connection with name change applications submitted by adult persons on behalf of a child. These revisions will permit a person other than a parent to apply for a name change on behalf of the child, and they will also permit a parent who is under the age of 18 to apply for a name change on behalf of their child.

The second set of amendments deal with the removal of requirements for spousal consent in the name change application of a married person and before children's names can be changed. These amendments are being proposed because the requirement for consent of spouse is not defensible under Saskatchewan human rights legislation.

The third amendment will provide a clearer definition of what constitutes a legal name. It will require that a name must be written entirely in characters of the

Roman alphabet, thereby not permitting persons to use numbers or other symbols in their legal name.

The forementioned amendments, Mr. Speaker, are in keeping with accepted social patterns and ought to be adopted in order to accommodate community values and needs. Legislation in British Columbia, Manitoba, and Ontario reflect these changes and legislation in other provinces is under review. These amendments are very positive because they will result in reduced hardship and clearer definitions of legal requirements.

There is also a fourth area with respect to Saskatchewan's change of name legislation where changes are being recommended. The Saskatchewan Human Rights Commission has received complaints alleging that Saskatchewan's name change legislation discriminates on the basis of marital status.

Current legislation permits married persons to resume their previous surnames without formal application and fee. However, Mr. Speaker, once a person ceases to be married, either upon divorce, widowhood, or annulment of marriage, reversion to the previous surname requires formal application and fee.

To correct this situation the amendment will permit persons who are widowed, divorced, or whose marriages have been annulled to resume their previous surnames without formal application and fee.

Mr. Speaker, the amendment is very positive because it will result in reduced confusion and hardship, and it will also settle a complaint on this issue which is currently before the Saskatchewan Human Rights Commission. I note as well, Mr. Speaker, that the commission suggested and endorses this amendment.

Lastly, the amendment will bring Saskatchewan legislation into line with that of the other western provinces where it is working satisfactorily.

Mr. Speaker, I hereby move second reading of The Change of Name Amendment Act, 1993.

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

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I think what the Bill is trying to do is simplify the process of name change. I think there's an area or a few areas that we should take a little more of a broader look at and therefore I move to adjourn debate.

Debate adjourned.

### **Bill No. 83 — An Act respecting Registered Psychiatric Nurses**

**Hon. Ms. Simard:** — Mr. Speaker, I'm pleased to stand today to move second reading of The Registered Psychiatric Nurses Act, 1993. Psychiatric nurses are currently regulated pursuant to The Psychiatric Nurses Act; however, the Act is outdated.

The current Act contains few provisions for the

investigation and handling of public complaints regarding psychiatric nurses who may commit misconduct or be incompetent. In effect the association's hands have been tied when it comes to regulating the profession. The new Act will better regulate psychiatric nurses and assure more accountability to the public.

The new Act is consistent with newer health profession legislation in this province, and I would like to highlight some of those features.

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 will also ensure that complaints of incompetence or misconduct are acted upon in an effective manner. The association's responsibilities with respect to investigation and discipline hearings are clarified in the standard provisions. An investigation and discipline committee are established. The committees have the necessary authority to investigate complaints, apply to the court for subpoenas, and apply a variety of discipline penalties, including fines up to 2,000.

As is standard with other professional legislation, the psychiatric nurse will be able to appeal disciplinary decisions to the Court of Queen's Bench. The psychiatric nurse will also be able to apply for reinstatement if he or she has been expelled at some time for misconduct or incompetence.

A number of newer standard provisions have been built into the Act to make the profession more accountable to the public. For example, up to two public representatives may be appointed by the Lieutenant Governor in Council to sit on the council of the association. A public representative will also be on the discipline committee. The person who laid a complaint against a psychiatric nurse will now be informed of the outcome of that complaint, and the person will be entitled to attend the discipline hearing.

Discipline hearings will no longer be automatically held behind closed doors. The association also will be required to file an annual report on its activities with the Minister of Health.

Mr. Speaker, no changes have been made to the registration requirements for members. A slight change to protect the title "psychiatric nurse" as well as "registered psychiatric nurse" was made to be consistent with accepted practice in the health system.

The Saskatchewan Psychiatric Nurses' Association has been consulted on the Act and is fully supportive of it. Saskatchewan Social Services and the Saskatchewan Registered Nurses' Association have also been consulted and are supportive.

The Act adheres to the standard format for professional legislation and contains no provisions which have a policy influence on existing programs.

Mr. Speaker, I move second reading of this Bill.

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

**Mr. Toth:** — Mr. Speaker, to allow my colleague a little more time to review the Bill and take a closer look at it, I move we adjourn debate.

Debate adjourned.

#### **Bill No. 84 — An Act to amend The Litter Control Act**

**Hon. Mr. Wiens:** — Mr. Speaker, after my remarks I will be moving second reading of An Act to amend The Litter Control Act.

This Act was originally introduced to protect the environment by making it an offence to litter or abandon waste. The Act also created an approval system for certain types of containers in which beverages could be sold. Subsequently, the Act allowed for the establishment and operation of the province's beverage container collection and recycling system.

The environmental protection fund was created by this Act to manage the deposit/refund system and to form a fund for certain environmental initiatives. We are amending this Act in order to transfer the environmental protection fund to the General Revenue Fund.

We are committed to eliminating the use of special-purpose funds and to increase the visibility of government expenditures. Environmental protection fund monies will become part of the Department of Environment and Resource Management's budget, allowing more scrutiny in the legislature.

This will not effect the province's SARCAN recycling system. Environmental handling charges collected by distributors will be deposited directly to the General Revenue Fund. Payments to SARCAN to operate the beverage container collection and recycling system will be made from this fund. Refundable deposits will go into a consolidated revenue account and SARCAN will receive payments for deposits paid on returned containers. We will be transferring any remaining surplus to the General Revenue Fund.

Environmental projects will be paid for by this fund based on budget appropriation by the Legislative Assembly. Furthermore, amendments will empower the Minister of Environment and Resource Management to undertake a number of activities associated with the development of waste minimization initiatives.

An expansion of the regulation-making authority will ensure that regulations may be passed to address the specific concerns related to new waste minimization activities. Mr. Speaker, we believe this

measure will further fulfil our commitment to providing open and accountable government.

Mr. Speaker, I move second reading of The Litter Control Amendment Act, 1993.

**Mr. Toth:** — Mr. Speaker, we're pleased to see that the government is, indeed, interested in controlling litter throughout the province of Saskatchewan. We also feel though, however, that we should take a little closer look at the Bill, and therefore at this time, we'll move adjournment of debate.

Debate adjourned.

### **ADJOURNED DEBATES**

#### **SECOND READINGS**

##### **Bill No. 49**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Mitchell that **Bill No. 49 — An Act respecting Correctional Services** 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. 70**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Carson that **Bill No. 70 — An Act to amend The Urban Municipality Act, 1984** 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. 71**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Carson that **Bill No. 71 — An Act to amend The Local Government Election Act (No. 2)** 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.

### **COMMITTEE OF FINANCE**

#### **General Revenue Fund Environment and Resource Management Vote 26**

**The Chair:** — I would ask the minister at this time to please introduce the officials who have joined us here today.

**Hon. Mr. Wiens:** — Thank you, Mr. Chairman. I'm pleased to welcome, on my right, the deputy minister of the Department of Environment and Resource Management, Michael Shaw; on my left, the associate

deputy minister in charge of policy and programs; to Michael's right, Randy Sentis, the assistant deputy minister in charge of environmental protection; immediately behind me, the assistant deputy minister of operations, Mr. Ross MacLennan; and to his right, Robert Blackwell, the assistant deputy minister of management services.

Excuse me, Mr. Chairman. Apparently I neglected the name of my associate deputy minister of policy and programs, on my left, Les Cooke. But I also wanted to say that I appreciated the opportunity to respond in advance to questions the members in the opposition have asked. I think, in anticipation of their cooperation in dealing forthrightly with all of these things, I'd like to send over to the members of the opposition and the member from Saskatoon Greystone packages of information responding to those questions that were asked.

And I'd like also to correct an answer I gave in the first session with respect to personal service contracts where at that time I gave the incorrect information that there were none in the department. There are actually 30-some, I'm informed. It's not as big a sin as the members opposite might want to make of it. Right up front, many of those are pilots on contract to our northern activities. But there are four others and their names here are listed as well.

So I will forward information both from the questions pre-circulated and from the questions asked in the last time that we took notice of. So you'll have the complete package at the outset.

#### Item 1

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Thank you, Mr. Minister, for the information you've sent over. We'll check it over and see that it is complete. But your omission sounds to me like a corporal sin so you'd better check that out.

Mr. Minister, today we concurred in the report of the Environment Committee that was reviewing Bill 48. And as I said earlier, I believe that was a very worthwhile and positive process that the committee members went through.

Part of the reason I think that that was successful was because the committee members went into the process looking to try and achieve something. All of the members did. And it wasn't to be achieved on a political basis as one side scoring points against the other, but to do something really constructive for the province.

And I would hope, Mr. Minister, that you will seriously look at the recommendations that the committee brought forward. I believe that there are some very, very positive recommendations there that would serve anyone well if they utilize them. And that whole process should be given some consideration for usage.

One of the items that I didn't mention in my speech

that I think made the process positive was the fact that there was a good number of new members on the committee, members that hadn't had their partisanship hardened by process in the House. That we did not have personal conflicts already involved, and so we could sit down at the same table and be objective as to what we were discussing.

I would hope that the minister would take the recommendations that we have outlined and use them.

I'm particularly interested in the one recommendation 2.3, where it talks of a balance between the environment and the economy. And that's a balance on both sides, that the environment should not outweigh the economic interests of the province; and vice versa, that economic interest should totally override the environment. I think that there are things that we can do that will accomplish both — provide us with a good economic base and do it in an environmentally sound manner. And I think that such considerations need to be looked at.

When we look at the recommendations from the Environment Committee, I think that process . . . the recommendations themselves should be seriously looked at in context of legislation that your department may be bringing forward or that the other departments bring forward.

I mentioned The Natural Resources Bill. There is a number of things in there that should be looked at in context of the report. There is other legislation before the House that should also be given some consideration as to how it is implemented and what it does in context to what this report is all about. So I think that is important, Mr. Minister.

One of the things that this province has been talking about for a period of time is energy issues and the environment and how they interact. We've talked about co-generation; we've talked about wind generation of electricity. And I'm just wondering, Mr. Minister, what does the department see happening in those areas and what is the department doing to encourage environmentally sound energy development?

**Hon. Mr. Wiens:** — Mr. Chairman, I appreciate the comments from the member opposite with respect to both the work of the standing committee and its impact on government actions for the future.

I want to say as well that it is good to see a cooperative effort. And I appreciate his comments about the need to discipline ourselves when we live in a combative atmosphere to in fact engage in this kind of cooperation, and appreciate the work of the members on both sides of the House who did the excellent work they did on the standing committee on the charter.

(1530)

I want to say as well that the fact that the public had a chance to comment on that Bill also gave them an

opportunity to comment on themes much more broadly than was being taken out, and I think reflects that the public values that opportunity to address government with respect to their policies and programs.

I think if anything could sum up the work that was done and the public comment was your comment that the public wants to see a balance between the environment and the economy. Clearly our business sector is actively pursuing that, recognizing that they cannot function in absence of our long-term sustainability and people with keen environmental interests also recognize that the economy must be able to function within those terms that are set.

So the whole notion of sustainable development I think was confirmed by what the members heard in their exercise of public consultation, and I appreciate the manner in which that's been communicated back to the House.

With respect to the direct application of that to the issues of energy, I want to say a couple of things. First of all, this is an issue of national importance. You may be aware, last week as president of the Canadian Council of Ministers of the Environment, I chaired a meeting of the council here and one of the achievements of that meeting was to forward to energy ministers a proposed draft document on further development of joint policies between energy and environment ministers. And we're seeking a joint meeting with energy ministers across Canada and environment ministers next fall.

And hopefully we can make some public responses jointly to the kind of concerns that grew out of the Earth Summit in Rio where out of two agreements — one was on climate change, the other on biodiversity — the climate change convention has caused all of us in Canada to come together and to propose actions that will address those concerns. Clearly energy ministers and environment ministers have a common interest in that regard.

Within the province you're aware, I think, that we had earlier taken the lead on that by establishing the energy options panel which then resulted in the establishment of the Saskatchewan Energy Conservation and Development Authority, whose report we're awaiting. From that will hopefully grow a comprehensive energy strategy for Saskatchewan. The ... appreciate that it's important to have broad public input into these kinds of policies and integrate them in that fashion nationally and within the province, but then also to integrate them with other resource management issues, which is another goal of our new department as we've amalgamated Environment and the Resource Management to put forward an integrated resource management strategy that ties all of our resource management initiatives into a broad policy that supports sustainable development in all regions of the province.

**Mr. D'Autremont:** — Well thank you, Mr. Minister. I mentioned co-generation, and I believe that that is an

interest that a lot of people have across this province. But from what I've seen from the government up till now where they have talked of a 25-megawatt limit on co-generation and a limit of 5 megawatts per project, I think you're restricting items too much, Mr. Speaker.

I understand why SaskPower wants to have the ability to be able to maintain their lines and their services because co-generation, depending on how it is done and what is being done, may not be able to supply peak needs. But there is some possibilities available with co-generation, and I don't know why the government would want to say, we are going to limit it to 25 megawatts, or why they would say, we're going to limit any project to 5 megawatts.

If it's capable of developing greater than that, why not utilize that potential? Most of those cases where people are talking of co-generation, they are putting up the capital. The government is not putting up any upfront money. The government will simply ... or SaskPower would buy from that co-generator at a negotiated price. And it has to be a realistic price that everybody makes money at it.

But I believe, Mr. Minister, that there should be a greater allowance available there on that issue, rather than simply 25 megawatts or a 5-megawatt project.

**Hon. Mr. Wiens:** — Mr. Chairman, again thank you for the address of that issue. Clearly as people living in a conservation society, the first goal for all of us is to identify strategies for energy conservation before we get into additional development. And I think there is not a limit to how much co-generation can be developed in the province, but it has to be done within the framework of sustainable development that we talked about before and clearly you've identified a number of the advantages that co-generation offers.

And I think that, as in other areas of development in the province, we need to measure the positives and the negatives of each of the strategies relative to each other, clearly to the extent that co-generation can be used; that will be part of the analysis that our conservation ... or that our Energy Conservation and Development Authority will advise us on.

In the meantime, we've outlined some targets for ourselves from which we will work together with Crown corporations and other departments of government in achieving a target of cost-effective and sustainable energy supply for Saskatchewan.

**Mr. D'Autremont:** — Thank you, Mr. Minister. I'd like to move on to another issue. Your department has assigned two regional waste-management pilot projects. I believe one of them is up in the Humboldt area and the other is down in the Shaunavon-Frenchman creek area.

Why were those two particular sites chosen as opposed to the other sites? I know ... How many — perhaps you can answer — how many people applied for these pilot projects and why were these sites chosen?

**Hon. Mr. Wiens:** — Mr. Chairman, appreciate the attention given to that regional waste-management project because that is clearly one of the challenges for our local governments particularly and for us as a province in collecting our waste, but also hopefully identifying strategies to reduce it and to use those streams of waste for which it's possible as a resource in the province.

There was a great deal of interest in that project. There were 17 proposals made to the Community Environmental Management Steering Committee for analysis. This committee, which involved a number of agencies and representatives of SUMA, SARM (Saskatchewan Association of Rural Municipalities), and the school trustees in the province then assessed all of those proposals on a standard format and selected these two sites, one a smaller-scale project than the other, but selected them on the basis of a number of criteria that they had established in advance, and then they recommended them to the minister for appointment.

**Mr. D'Autremont:** — Thank you, Mr. Minister. Would you give us list of all those that made submissions?

**Hon. Mr. Wiens:** — Yes, I'd be happy to forward that to you.

**Mr. D'Autremont:** — Thank you, Mr. Speaker. Now why were those two particular site that were chosen . . . what was the criteria that made them more suitable than some other location?

**Hon. Mr. Wiens:** — Mr. Chairman, I don't have with me the list of specific criteria that were used, but we will forward those.

But let me say that, in general terms, the object of these pilot projects is to identify models that other people in the province can use and to identify what works and doesn't work with respect to minimizing final waste in terms of landfills, identifying streams of waste products that can be used as a resource for other purposes. And therefore there was some attention paid to the size of the system, the number of municipalities cooperating because there are some areas where a larger model works and other areas where a smaller model works. So there were two . . . there was a distinct choice of a large and a small area.

And then there were criteria with respect to how much waste reduction was achieved, the effectiveness of the collection system, the cost effectiveness of the collection system, and the degree to which these pilot projects could be models for other municipalities in the province working together to achieve their waste reduction and waste collection goals.

**Mr. D'Autremont:** — Thank you, Mr. Minister. In your answer though, you have not provided any definite criteria as to why the Humboldt region was chosen and why the Shaunavon one was chosen over whatever other people put in submissions.

**Hon. Mr. Wiens:** — I'm sorry if I didn't make it clear. I said we will forward those specific criteria. Each of the proposals was measured on the same grid of criteria and then scored. So what you will have when you get the grid is an identification of the criteria that were used, to which a score was applied and then accumulated to get a final score. And there will . . . we can identify for you possibly the areas of where those projects were especially superior to other proposals.

**Mr. D'Autremont:** — Okay. Thank you, Mr. Minister. Mr. Minister, there was a bit of controversy three or four or five months ago, back in the late . . . early winter, dealing with wildlife land, that hunters and fishermen pay a fund into the government which in turn is given to the Saskatchewan Wildlife Federation to buy wildlife lands. And there was talk at that time that that money would be taken from that fund and given to the Consolidated Fund.

Can you make a commitment today that that fund will remain in place and that the Saskatchewan Wildlife Federation will be allowed to continue to purchase wildlife lands with those monies that are specifically being collected for them?

**Hon. Mr. Wiens:** — Mr. Chairman, thank you for the opportunity to lay out what is happening with that fund. The money in that fund is not given to anyone in particular. The government collects it on behalf of the agencies that have an interest in wildlife development and government then spends it. But they spend it in an advised fashion by these agencies.

What we've done at this point is committed ourselves to leave the fund as it stands for this year, to involve the interested agencies in discussions about the long-term management of those funds during this year.

**Mr. D'Autremont:** — Well, Mr. Minister, I'm sure that the people involved will be pleased to hear it will stay in place for this year. But that is a voluntary contribution that people initially asked to make. It may not seem to be voluntary any more, because you don't have a choice as to whether you pay it or not; it's part of your licence. But initially the wildlife federations asked that that fund be put in place and that contributions be made from licences to support that program.

And I think it's very incumbent on the government to leave those funds alone, that they be used strictly for what they were originally intended, Mr. Minister. And I think that you should make a very strong recommendation to your cabinet colleagues that that is what happen, that those funds remain dedicated for the purpose they were originally intended. And I'd ask you if you would be prepared to make that kind of a commitment.

(1545)

**Hon. Mr. Wiens:** — Mr. Chairman, I appreciate those comments, and we'll make sure that they are relayed

to the people at the table as we're discussing this issue during the next year. I'm sure that they also will communicate the feelings of wanting to make sure that the purposes collected for that fund, that the expenditure matches the purpose for which they were collected.

**Mr. Neudorf:** — Thank you very much, Mr. Chairman. Mr. Minister, on that very same topic that we were just discussing, could you outline for me please how the money that is collected into that fund, where is that money kept, how does it come into the government, and then how is it dispersed? Could you discuss with me the mechanism that you are employing?

**Hon. Mr. Wiens:** — Mr. Chairman, thank you for that question. I will try to answer it briefly but comprehensively.

The funds that are collected from fish and other licences are collected into the general revenue account, the Department of Finance. There is an appropriation equal to 30 per cent of the total licence revenue which is transferred to a fish and wildlife development fund account. This is maintained as a distinct account and audited independently.

Now in terms of the expenditures of the funds from that account, there are two kinds of expenditures. There are expenditures that flow from the 30 per cent arising from fish licences which are . . . There is a fish advisory committee which establishes an expenditure plan for that 30 per cent which arises from fish licences, and there is a Saskatchewan Upland Protection Enhancement and Restoration Committee which works with the department in establishing the expenditure plan for the other game licences . . . funds.

**Mr. Neudorf:** — How, Mr. Minister, is that 30 per cent . . . how did you arrive at 30 per cent of the fish licences as the amount that is being appropriated for that?

**Hon. Mr. Wiens:** — Mr. Chairman, I appreciate that question. As nearly as my officials can tell, that it was in the beginning 30 per cent, and for ever thus has been. And while at various times in the history of this fund over the last 20-some-odd years there have been caps applied at different levels so the 30 per cent applied up to a cap, presently there is no cap in terms of what might be accumulated in those funds.

**Mr. Neudorf:** — Let me understand this clearly, Mr. Minister. What you're saying is the process is that hunters and fishermen who buy licences, that money as revenue from those purchases is turned into the Consolidated Fund and then it is taken out of the Consolidated Fund through an appropriation through this legislature, and that that is in keeping with good bookkeeping and accountability procedures as recommended by the auditor. Is that correct?

**Hon. Mr. Wiens:** — That, Mr. Chairman, I think that's an accurate summary.

**Mr. Neudorf:** — Mr. Minister, just to quickly move on. I have a question regarding game licences and upcoming and so on. Where are we at? We had a discussion about this last year, I recall. But could you give me a brief summary of what the licence outlook is for this year in terms of big game in particular? Are there more; are there less?

I know that some of the things last year — antelope — there weren't as many as there were anticipated and so on. Just give me a brief summary of what you can expect, and also some of the dates. When are the draws going to be held? When are the applications coming out? Those kinds of things that the hunter population generally would be interested in.

**Hon. Mr. Wiens:** — Mr. Chairman, I'd just like to report that the stocks of the wildlife numbers are strong in all categories. The information is listed in this 1993 Saskatchewan big game draw information sheet. And I think rather than . . . It's out already. Do you want us to forward it to you or will you just access it on your own?

**An Hon. Member:** — I would like a copy; I'll read it tonight.

**Hon. Mr. Wiens:** — Okay. Well I will in fact, since this is the only copy I have, with apologies to the member from Saskatoon Greystone, I'll ask someone to take this over to you so you can actually read it right now.

**Mr. Neudorf:** — Well not right now, Mr. Minister. We have some unfinished business to attend to first.

But a question that has been asked of me fairly often — and my colleague here just reminded me of it and I'll ask you to get an official answer on the books as far as hunting big game in the big game season coming up — the talk out there is that a week before a season opens, in antelope for example, or elk perhaps close to a park, that the officials from the wildlife branch hop aboard their helicopters and their leased airplanes and spread havoc amongst the game population to disperse as much as possible. Could you verify or could you deny any such practice, please, officially now?

**Hon. Mr. Wiens:** — Yes, Mr. Chairman, I appreciate the opportunity to publicly and unequivocally deny that our department either has the resources or the time to engage in those kinds of activities which are directly contrary to their own sense of their duty, which is to manage these resources in a sustainable way to identify appropriate hunts and to facilitate this exercise of wildlife management.

The officials do from time to time use aircraft for the purpose of managing inappropriate hunting practices and those kinds of things. But clearly that kind of practice that's suggested would be completely counter to the purpose for which the department establishes its practices.

**Mr. Neudorf:** — Mr. Minister, I would hope then that



these special flights and so on taken for management purposes would not occur just a week before hunting season.

**Hon. Mr. Wiens:** — Yes, Mr. Chairman, they clearly would not because they would only be taken in monitoring what's happening during the hunt.

**Mr. Neudorf:** — To continue on, Mr. Minister, on page 46 of the Saskatchewan *Estimates* for the year under forest fire management, I understand it's dry; we've got a lot of fires up there. I'd like you to give me a little bit of a summary as to where we're at currently as far as how many fires are burning, any out of control, and so on.

But also the officials may look up . . . the question that I have on recoverable fire suppression expenses — recoverable. Does that mean that we now have an income of \$1.4 million? What does that 1.4 indicate? And if that is, from where do you recover those expenses?

(1600)

**Hon. Mr. Wiens:** — Mr. Chairman, I would answer the last question first, with respect to the recoverable fire suppression amounts.

Saskatchewan operates in agreements with other provinces and with the federal government with respect to fire suppression and this is then . . . There used to be a fund into which this money was collected; it now comes directly back to a revenue account as a revenue to the department when those funds are paid for our activities on others' behalf.

With respect to the forest fire situation, I can make available to you possibly later the current state of the fire report here. Saskatchewan has never had such high fire ratings as it's presently experiencing, coming out of winter with very little snow, very little moisture. This has resulted in the predictable very, very large number of forest fires to date — 221 at this point compared to a five-year average of 132. There are presently 28 fires burning in the province, although 15 have already been extinguished in the last 24 hours. And in the last 24 hours, eight new fires have been reported.

This brings me to the theme of another concern with respect to managing forest fires. It's extremely important that the department have an ability to address a new fire within 15 minutes of its occurrence, its first identification, in order that it can easily be controlled.

We have today expressed concern to the federal Minister of Defence, the Hon. Kim Campbell, in charge of the Primrose Weapons Range, that we have not received the kind of cooperation that's necessary to do that under the . . . and so we're asking in these emergency circumstances that in fact they do give us the access to that range so that when fires are begun, which are often begun as a result of the activities of the Defence department there, that we actually have

immediate access to extinguish those fires, so they do not end up in the out-of-control situation that is presently occurring in the Primrose Air Weapons Range.

**Mr. Neudorf:** — Thank you, Mr. Minister. Mr. Chairman, I want to turn to one other section, and that's the commercial revolving fund. According to this, the department uses this fund or you use this fund to finance an account for the commercial operation of government-owned parks and renewable resources, Mr. Minister.

Last year, you had a revenue of \$6.9 million. Of that amount, \$387,299 was from leased land, as I understand it. Could you explain to me from what leased land this is; and if \$387,000 came from that, where did the rest of that \$1.6 million come from as revenue that was entered into commercial revolving fund?

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**Hon. Mr. Wiens:** — Mr. Chairman, the commercial revolving fund — just for the interest of the public who is not aware of what purpose it serves — is the fund into which all park fees and rental fees for cottages and those kinds of revenues for park management is deposited and from which it is spent. So the lease fees are, as they are identified, fees from cottage properties, and the residual amount of the money in that fund comes from park fees and other of those kinds of fees, and the province makes up the deficit in the fund for the total purpose of managing parks in the province.

**Mr. Neudorf:** — Mr. Minister, The Renewable Resources, Recreation and Culture Act says that this is how the funds in that fund shall be used. And I quote:

. . . the minister may sell, rent, lease or otherwise dispose of property and assets acquired by him through the revolving fund.

Now I'm quoting here from what the Provincial Auditor has to say about this. He says that you . . . that your department records this lease revenue as revenue of that fund — of the revolving fund. However the department did not acquire the assets that earned the revenue through the fund, the auditor says. And therefore the auditor is here saying that the department does not have the authority to record commercial leased revenue as revenue of that fund, but rather that that money should then be recorded as part of the Consolidated Fund. Now that is the opinion of the auditor and his legal beagles, and apparently the department has some legal advice to the contrary.

But I'm just going to simply summarize this by the auditor's recommendation where he says the department should record commercial lease revenue as revenue of the Consolidated Fund. And if you're not prepared to do that, and if you're not willing to do that,

the auditor says alternatively the department should propose changes to the Act that I just quoted — The Renewable Resources, Recreation and Culture Act — to say clearly commercial lease revenue belongs to the fund.

In other words, Mr. Minister, what the auditor is saying, the way you're doing it now is wrong because you do not have the statutes that give you the legal authority to do what you're doing. So the auditor says either you take those revenues, don't put it into the commercial revolving fund, but rather into the Consolidated Fund. But if you want to put it into the revolving fund, then change the Act that makes what you are doing legal.

Now you're aware of this for quite a period of time already, Mr. Minister, and I want your commitment now as to what you're doing to act upon the recommendation of the Provincial Auditor.

**Hon. Mr. Wiens:** — Mr. Chairman, yes, the member opposite correctly identifies that this is a concern that has been expressed for a long time, in fact a long enough time that it was expressed during his administration.

And I inform the member now that the new resources Act that we have introduced clarifies the point that you asked about so that it will be clear that these revenues can be collected into the fund as the present practice is — just to confirm that the interpretation that has been used by the department is clarified so that there will be no difference of legal opinion any more.

**Mr. Toth:** — Mr. Chairman, a couple of questions that I have. Number one, regarding the cottage fees or the fees affecting cottage owners, I think the minister is very well aware of the concern in the cottage industry and in a number of parks. And what I'm wondering is the rationale behind the significant increases other than trying to find more revenue. It seems to me you're looking at a small resource for that additional revenue. And just looking at the major park in my area, the number of for-sale signs that have appeared are very significant.

What I would suggest — well I've asked the question — I would also suggest that the department take a serious look at addressing the difference between a seasonal cottage owner and a yearly . . . or a cottage owner who spends . . . is a year-round . . . lives year-round in the park.

And a lot of people have raised the fact that year-round resident has indicated they have no problem in paying a fair and reasonable rate, taking into account that they provide their own services. And they're also arguing for the seasonal persons that their rate should be adjusted accordingly, that not everybody should be treated the same. And I wonder if the minister would comment.

**Hon. Mr. Wiens:** — Mr. Chairman, appreciate the question and the reflection of concern by cottage

owners about the increase.

And clearly the purpose of this aspect of park management is that we want to provide a recreational facility for the whole public, and this includes the residents of the parks. And in order to do that we have to try to on one hand collect revenues adequate for the operation, which we do not yet do fully, of these parks. But we also have to have some sense of fairness that someone residing on Crown lands inside parks does not have an advantage over people residing externally.

That equity question has been raised by a number of the local government bodies. It may be that they raised it hopefully from the perspective of tax relief outside of the park, but clearly they raised the inequity as an issue. And so the increases on lease properties inside the park are meant to bring the inside park fees for cottagers closer to the costs to live outside the park. We still have not gotten there. It is still cheaper to live inside a park in terms of those fees than it is to live externally.

With respect to the comparison between seasonal residents and permanent residents, that issue has also been addressed in this year's budgeting. And the increases to permanent residents have, on top of the increases to seasonal residences, have increased by an additional 25 per cent to try to address the question of equity between seasonal and permanent residents.

(1615)

**Mr. Toth:** — Thank you, Mr. Minister. Just a couple of comments on that, Mr. Minister. I would suggest that first of all when you're looking at the differences and looking at what it costs to live outside the park rather than inside the park, you must remember the fact that first of all, down in Kenosee anyway, I know the people there pay for their bus service for education. They also provide their own water and sewer and that.

And I would think those things have to be taken into account. I don't think you want to raise them to the point . . . because then you're just going to send everybody back to the communities. And so I think that's what I'm saying about fairness and addressing some of those issues. I trust that there's a consultation process taking place with the cottage owners to come to a workable agreement on this.

I've got two more questions. Actually if we weren't under a bit of a time constraint I could take a lot more time on this. But a couple questions here.

Secondly, Mr. Minister, we talk about deficit reduction, we talk about spending our dollars equitably and wisely. Kenosee park is a good example of how I think parks could save a few dollars. Number one, we have postal service in the village of Kenosee. Number two, you've got fuel available and yet I hear from residents and business people in the Kenosee area that the Parks people are driving 20 minutes to Carlyle to fuel up the vehicles and get postal service. And it would seem to me that if we're going to be

responsible and if we're going to spend our dollar wisely, why are we not taking advantage and utilizing some of the businesses and the services that are in the village. And that's just my area; I don't know what the other areas . . . or what's happening in other areas. So I would ask you to look into that.

Secondly, regarding heritage sites, I understand that there's a heritage site just north of . . . or has been applied for just north-east of Whitewood, Pense School. And I've had a number of people questioning the fact of public dollars being spent to upgrade an old school that's falling down, to redesign a barn, an old barn, just to build a heritage site when we do have a museum in the community of Whitewood.

And it would seem to me that the communities and some of the folks should be working together to develop the museum on one site, preferably in a community, rather than all these little heritage sites where you're spending taxpayers' dollars.

And down the road three, four, five years, if the individual who brought the issue to the forefront is not there to manage and to look after that facility, vandals take over, well what have you done? We just wasted public money. So I'm just wondering what's happening there as well, and I would suggest we take a serious look at how we're spending our public dollars. Thank you.

**Hon. Mr. Wiens:** — Mr. Chairman, I appreciate the comments of the member opposite on all those themes. Clearly we want to work with our cottagers to make sure that we consider all those factors, and we need to have consultations in order to achieve that.

With respect to the comments on the practices of our officials in the Kenosee area, I'll ask the department to examine that and to recognize the local investment. I had a visitor in my own office over the weekend on a similar theme with respect to the proper recognition of services that are provided there by the private sector, and concerned that we in the department might be duplicating service and making an investment that was unnecessary.

So I appreciate when people can draw those kinds of things to our attention, because it's important that we do work with the local community to give us the most effective . . . cost-effective and efficient recreational opportunities.

And in respect to heritage sites, that's a matter that is not within our department but clearly the question you raise is worth exploring and I thank you for raising it. We'll look into that question with the other minister responsible. Thank you.

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Mr. Minister, I've had a number of phone calls dealing with sewage lagoons and the problems arising there. I wonder what some of the regulations are in dealing with this. How close are sewage lagoons allowed to be from residences, from water wells and from waterways?

**Hon. Mr. Wiens:** — Mr. Chairman, I wonder if the member opposite would agree that I simply forward the regulations because they are broad and complex, and I will forward them to the member opposite so he has that information in complete form.

**Mr. D'Autremont:** — Yes, Mr. Minister, that would be fine. With the sewage problem, is the government looking at any remedial efforts to assist communities that are having problems with their sewage treatments?

**Hon. Mr. Wiens:** — Mr. Chairman, there are no financial resources available from the department to assist communities with respect to those projects, but the department's regional staff are available for consultation and help in planning the sewage management systems and examining existing difficulties if it is an existing facility.

**Mr. D'Autremont:** — Well thank you, Mr. Minister. You're not the only one though that has some financial problems, and a lot of these communities that are in a situation where maybe their systems are not up to standard, don't have the financial capabilities to improve the situation. I would recommend that the government take a serious look at seeing if something couldn't be worked out with those communities that are having a problem.

Another one of the problems that comes up that I get quite a few phone calls about from my area is wildlife depredation. There's a number of areas where deer are a serious problem. I'm thinking of the Oxbow area and the Carievale area. Also we have elk problems around the Moose Mountain Provincial Park. Does the government . . . does the department provide any assistance for those farmers when they have problems dealing with wildlife.

It's not just a problem with big game animals, but also problems with ducks and geese in various parts of the province, Mr. Minister. I know that Crop Insurance is involved in this, but Crop Insurance seems to be very reluctant to make any payment to farmers with problems with wildlife.

**Hon. Mr. Wiens:** — Mr. Chairman, the emphasis within our department now is to try to use our available money to plan strategies and to use the funds for loss prevention, because it is a much more effective use of money than trying to pay compensation. So there are \$330,000 of new money in this year's budget on prevention where fencing materials are provided for farmers that are experiencing difficulties in order to help them with their prevention.

With respect to damage by waterfowl, that is the responsibility of the Crop Insurance Corporation. While I am generally familiar with the program, I wouldn't want to answer on their behalf in terms of the detail of that program. But I know that last year it was very much oversubscribed and resulted in a deficit in the program of compensation because of the nature of last fall.

**Mr. D'Autremont:** — Well thank you, Mr. Minister. I'm sure that there's a number of farmers out there who are quite interested to know that additional funds will be available for fencing. In those funds, would that also include interdiction stations for feeding deer, particularly in the wintertime when they're coming up to people's grain piles or their feed . . . where they might have feed stored in their yards. Is that also part of the program?

**Hon. Mr. Wiens:** — Mr. Chairman, what we've established is a committee of producers who are working with the department to identify what the best strategies are for minimizing losses, and the concept that you talk about of intercept feeding is certainly one of the concepts that will be part of that examination.

**Mr. D'Autremont:** — Well, Mr. Minister, that program worked well in the past and I realize it's been gone for now one or two winters, and has not been in place and a number of people are suffering the consequences of that, having their hay destroyed, or having grain that's been piled on the ground fouled by the animals.

One of the suggestions that has come forward to me is that when big game animals become a problem in an area and remedial measures don't seem to be available that solve the problem, and that the farmers are not being compensated properly, or at least in the minds of the farmers they're not being compensated to an adequate level, would it be possible to issue special hunting permits in those areas, the funds for which would go to that particular farmer? The department could determine that perhaps 10 animals out of this herd should be eliminated and that would maybe ease the problem, maybe solve the problem, and then that funds would be proportionately given to the landowner to compensate him for his losses.

**Hon. Mr. Wiens:** — I appreciate the concern raised by the member from Souris-Cannington. That's one of a number of ideas that are worth examination with respect to the proper management of our big game populations.

One of the real dilemmas — and this is where again the whole question of the integration of policies in various areas of government becomes really important — one of the facts about wildlife population is that while the numbers are down to about a half of what they were a number of years ago, they are living on about one-third of the habitat because of our continuing removal of land from its natural state.

And so I think we need to be working cooperatively between agriculture and our resource management areas to integrate our policies, to maximize our goals for wildlife populations for the natural habitat that supports that. That gives us other economic opportunities in the community, and I appreciate any suggestions that you and others who may be listening would have for us with respect to proper integration of wildlife and agricultural policies.

**Mr. D'Autremont:** — Thank you, Mr. Minister. The whip has informed me it's my last question so I'm going to have to make it a multi-purpose question here.

One of the items that came forward, that you brought forward, Mr. Minister, was the question of environmental taxes, that there would taxes on diapers and batteries and tires and this type of thing. I believe that would cause some very serious problems, Mr. Minister.

We don't live in isolation in this province. Now while it may not have a dramatic impact on Regina and Saskatoon, if you lived in my constituency and you had to pay \$5 extra for a package of diapers or for a battery or tires, there is available shopping just within minutes from you where you would not necessarily be paying those fees, and the net result would be people would shop across the border some place to avoid paying that taxes. Saskatchewan would still have the problem of the disposal.

We've seen that happen with the drink containers, with the SARCAN sites. We pay a high deposit fee in this province. We give some of that deposit money back, but what's happening is we're getting a large amount of cans and bottles coming in from Manitoba. Now perhaps the same thing is happening on the Alberta side; I don't know. But I've heard of people bringing in semi loads of cans. One particular person is reported to have brought in \$15,000 worth of beverage cans in a month. Now I don't think that particular person drank all that pop themselves. And it just happened to be at a location fairly close to the Manitoba border.

So when you put on a tax like that you're creating problems for this province also, Mr. Minister, and I would suggest you consider that very, very carefully before you implement such a program.

The other part of my question deals with the underground storage tanks which have been a problem. I knew you were expecting questions on that and so I hated to disappoint you on this. You have suggested that there would be a one-year moratorium on the implementation of the regulations dealing with the underground storage tanks.

(1630)

Mr. Minister, those tanks that are leaking definitely need to come out of the ground. It's not a question. But those tanks that are not leaking, they should be tested and perhaps there should be test holes put in beside those tanks that could be monitored on a regular basis. And if those tanks are not leaking, then, Mr. Minister, there are a good number of people across this province who see no reason why those tanks should be removed.

If there is a leak, fine. If there's no leak, they should be monitored and maintained. And then at some point in time those tanks will be removed. But it shouldn't happen immediately, Mr. Minister, and to do so will

have a very severe impact on the economy of this province. It'll have a very, very severe impact on a good number of small communities who only have one service station who can't afford to go through the expense of replacement.

**Hon. Mr. Wiens:** — Mr. Chairman, maybe I will begin from the end of this question, which was your last and of which you took advantage to make several sub-points.

As the member opposite I think is aware, this is a . . . the policy in underground storage tanks was initiated in 1988, and when I took over the ministry about eight months ago, was one of the very first concerns I had expressed to me. And I immediately put a working group together to try to correct some of the insensitivities of the regulation that had come . . . that we had inherited.

You've made some valid observations. They are the very same observations people have made to me. And if you stay tuned, hopefully within the next couple of weeks we'll be able to make an announcement defining the changes that are coming forward and that will detail those changes and hopefully address most of the concerns that have been expressed.

With respect to the environmental taxes, again I'll start from the tail-end of that sub-question. We have a very good program in Saskatchewan that goes back a number of years that does deal with cans and bottles. And you've correctly identified one of the problems with that process, which is the bootlegging of cans and bottles from other provinces.

The SARCAN people have addressed strategies that minimize that, and the ingenuity of business people — not generally but the ingenuity of people who want to do this kind of business — requires continued creativity on the part of SARCAN to avoid the abuse of the system as it's constructed. And we work with them in trying to minimize those losses.

But what that problem accentuates is the fact that we need to work as western provinces together to have common strategies on environmental management. And to that end I called a meeting of western environment ministers last week. We met with representatives of each of the western provinces, the Northwest Territories, and the Yukon to look at a number of issues including the waste management issues you describe.

I think you cannot make an unequivocal statement about the use of environmental fees and levies. They are a tool that can be used in managing a waste challenge as they have been used with respect to cans and bottles. In terms of the equity, one could make the argument that equity doesn't exist right now because there are strategies in Alberta and Manitoba for fees with respect to tire management. I don't know what the numbers are exactly; I think it's \$3 in Manitoba, \$4 in Alberta. So in some sense we are inequitable now because we have no fee. Manitoba has a tax on diapers. I think that's not a strategy that we would

easily contemplate.

But there are strategies going on, and they are not in themselves evil or bad. In fact I've had a lot of public comment from the business community and the public at large that they would be willing to pay fees if they could be assured that those fees are used to address the environmental problem for which they're collected. And I think that needs to be the defining characteristic of those kinds of strategies.

I think the strategy that is uppermost with respect to the waste stream in our mind right now is the used-oil strategy. We have a working group working on that, and hopefully within the next year we'll define some policies.

With respect to . . . We've also put a larger working group together to look at prioritizing these waste items in terms of address and what strategies we should use and whether the issue you raise of environmental fees and levies should be a part of the strategy with respect to any number of these items in the waste stream. Link all of this back to one of your colleague's first questions which was the regional waste management projects. These two go hand in hand because regional waste management depends on taking those waste streams and carrying them through to a new life or to final disposition.

And so we need to work cooperatively with the municipalities who are looking at their solid-waste management strategies, using the provincial strategies with respect to which tools we use in terms of taking our plastics or our tires or our cans or our oil or our batteries, combine those strategies to effectively minimize the total waste and reduce the total landfilling to a minimum to reduce the cost to our municipalities.

Item 1 agreed to.

Items 2 to 13 inclusive agreed to.

Vote 26 agreed to.

**The Chair:** — I would ask the minister at this point to thank his officials.

**Hon. Mr. Wiens:** — Mr. Chairman, I would like at this point to express my thanks to officials for making themselves available and for supporting me in answering the questions of the opposition. I'd like to thank the members of the opposition for their very good questions; for giving us the opportunity to explain a number of our policies to the public. Maybe another time we can take a little more time and talk about more of them. And so I thank the members of the opposition for their contribution to this session.

**Mr. D'Autremont:** — Thank you, Mr. Minister. On behalf of the member from Moosomin and the member from Rosthern and myself, I would like to thank you for your responses and for the assistance of your officials today.

The committee reported progress.

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 38

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Mitchell that **Bill No. 38 — An Act to amend The Saskatchewan Human Rights Code** be now read a second time.

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. It's my pleasure to rise and speak to Bill 38, The Saskatchewan Human Rights Code Amendment Act.

There are certain basic characteristics which set human beings apart from other species on earth. Our ability to socialize has given rise to identifiable cultures and the creation of separate and distinct nations. Our ability to emote makes us different from other species; makes us capable of understanding one another's feelings. Beyond that, we have the intelligence to choose to recognize and resolve our differences through negotiation and compromise, rather than confrontation and violence. It is from these choices that the notion of human rights has arisen. Our world is a *mélange* of cultures, all with varying histories and collective memories. In Canada we are extremely fortunate to be blessed with the resources which make it possible to recognize the rights of each of our citizens to the most basic needs of life: food, shelter, and clothing. There are too many countries in which those are not taken for granted.

In Canada and in Saskatchewan we've come to recognize certain other things as being basic rights of humans. We are so blessed as to think that health care and education and a clean environment are the rights of our citizens when they are truly privileges to which we have become so accustomed that we regard them as inalienable. Our record in providing rights to material goods, the staples of life, is envied the world over.

But what of our record where the rights of people are concerned? Have we done enough to ensure that the heart of each and every citizen can swell with pride as we think of the freedoms we enjoy as Canadian citizens? Have we done enough to ensure that any man or woman in this country can seek the security of shelter, the dignity of employment without scaling the hurdles of discrimination? Each of us can remember or has learned from history that there were times when it was socially acceptable to exclude aboriginal peoples from the basic right of access to public places. Each of us knows of the atrocities of war in which Canadian soldiers gave their lives to ensure that our rights would not be threatened by forces abroad who cultivated hatred and discrimination.

And each of us knows that there are still people who suffer from discrimination and hatred and vicious campaigns designed to bring terror and sorrow to their

lives. We as Canadians know that prejudice is wrong. We know that every individual in our nation should be entitled to the rights as laid out in the Charter of Rights and Freedoms. Some will argue that no group should get special mention or special treatment. I would argue that we must take whatever action is necessary to ensure that equal rights are truly equal, not just in perception but in practice, not just in theory but in day-to-day life.

And I come from this because of my personal experience. Over 20 years ago, I was in a facility in Saskatoon which was a dine and dancing facility in a hotel, and during that time I was unable to walk and was in a wheelchair. And my partner and I were asked to leave because of the people who were running this establishment stating that the people who had come there to dine and to dance would be disturbed by my being in a wheelchair. I think that people who have not experienced discrimination firsthand probably don't think very much about it. But it meant a great deal to me as years went on that actions were taken so that such things couldn't happen to others.

This Bill before this Assembly identifies three groups as being discriminated against through numerous cases addressed by the Human Rights Commission. Those groups include homosexuals, welfare recipients, and single parents.

(1645)

I'm not here to argue for or against homosexuality any more than I am here to argue for or against receipt of public assistance or single parenthood. What I do wish to make clear is that I believe wholeheartedly in removing barriers which prevent any individual from enjoying life without discrimination or persecution from any other individual who may consider him or herself more deserving of basic human rights than a homosexual, a welfare recipient, or a single parent.

I am clearly on record as saying that people should be free from harassment, free from prejudice. It is my firm belief that we as a society should be the beneficiaries of the strengths of individuals being developed to their fullest. It is the duty of government to ensure that this happens, the responsibility of government once it has decided to address such an important issue as amendments to the Human Rights Code, to ensure that the changes proposed will, if passed, achieve the intended objective.

Philosophically I agree with the speech presented by the Hon. Minister of Justice about a week ago. However a great speech cannot be mistaken for a great piece of legislation.

The people of Saskatchewan should not be asked to trust political rhetoric no matter how well meaning, no matter how judicious. The people of Saskatchewan who have expressed generosity tempered with caution about this legislation have a right to be heard. They have a right to have their concerns addressed too. And as a politician I have promised my constituents and others who have written to me about

this Bill, that I would ask legal authorities to determine whether this legislation would serve its purpose and no more than its intended purpose.

What my constituents do not want to see is for this legislation to become a legal testing ground for demands which exceed the intent of freedom from discrimination. Like the majority of my constituents, I am prepared to support legislation which prohibits discrimination against homosexuals from obtaining and maintaining their employment on the basis of their sexual orientation. Like the majority of my constituents, I am prepared to support legislation which prohibits the exclusion of homosexuals from housing or rental accommodation.

But it is incumbent upon me to indicate what the majority of my constituents do not want this Bill to include. Mr. Speaker, my constituents are not prepared to support legislation which will recognize same-sex marriages, spousal benefits for homosexual partners, or the rights for homosexuals to adopt children. What is of great significance then to the majority of Saskatoon Greystone residents is whether this legislation includes, or is open to the inclusion of, additional rights.

The problem which we have here, Mr. Speaker, is that while any reasoned individual may be inclined to write off criticism of this Bill as bias or outright prejudice, there is some significant reason to believe some of these concerns which have been raised. Mr. Speaker, there is significant reason to believe that what the Minister of Justice is telling us is not exactly the case, and there is reason to believe that this Bill could indeed lead to additional other rights.

The significant reason to believe some of the concerns that have been raised originate with the highest court in the land, the Supreme Court of Canada. Comments made by the Chief Justice of the Supreme Court, Justice Lamer, demonstrate that the Minister of Justice has not fully explained the issue to the people of Saskatchewan.

Mr. Speaker, the Justice minister's speech on second reading of this Bill included two major arguments. The first of those arguments is that the amendments he is proposing are only intended to make Saskatchewan's Human Rights Code measure up to the common law developed through the legal battles in the courts.

Mr. Speaker, the minister's second argument is that Bill 38 does not extend to homosexuals further rights, including pension benefits, marital status, or the right to adopt. And while the minister gave an articulate, and indeed a passionate speech, the problem is that the content may not be accurate.

The minister's arguments and assurances are suspect in light of recent decisions in journal articles addressing constitutional law. In the last year, four significant decisions were rendered that have some bearing on sexual orientation issues. And while that sounds as though all of the legal bugs have been worked out, the reality is quite far removed.



The first legal problem is that there were two cases on sexual orientation which came to opposite and conflicting conclusions. Unfortunately the minister only referred to one of these in his speech. By doing so he avoided explaining all the factors that affect sexual orientation as an issue.

The Haig case, about which the minister spoke, came down last August. It ruled that the Canadian Human Rights Code should be interpreted in spirit to include sexual orientation. The justices involved in this case at the Ontario Court of Appeal went one step further. They cited the Schachter judgement from the Supreme Court of Canada which stated that in certain quite confined circumstances courts could make legislation conform to the charter. Under this decision, courts can achieve this by, and I quote: "reading in." Or in other words adding to the text of legislation. In this case they felt they should add sexual orientation to the list of prohibited grounds for discrimination.

If that were the only case, the minister would be correct in saying that we must change our Human Rights Code to ensure that it conforms with the charter. However, it is not the only case.

The minister failed to refer to the other case which conflicts with the ruling in the Haig case. The other legal case to which the minister did not refer was the Nielsen case which dealt with the constitutionality of the Canadian Human Rights Act. As the Act current reads, it does not include sexual orientation as a prohibited ground for discrimination. This case was decided in the trial division of the federal court. The justices of the federal court decided that the Charter of Rights and Freedoms did not include sexual orientation as a prohibited ground for discrimination. Contrary to the judgement in the Haig case, Mr. Speaker, the Canadian Human Rights Act was considered to be valid and constitutionally sound.

So what we have here, Mr. Speaker, are two cases, each dealing with the same piece of legislation on the issue of sexual orientation. They were fought at the same level and both came to opposing conclusions. While one cited the Supreme Court's ruling that courts can add to legislation in confined circumstances, the problem remains that the constitutionality of sexual orientation and section 15 of the charter has not been resolved.

And contrary to the Minister of Justice's assurances, Mr. Speaker, the reality is there is no definitive answer on the issue because in both cases both sides failed to appeal to the Supreme Court of Canada. They did not appeal despite invitations to do so by the court itself. Hence we have a situation where we do not know whether our Human Rights Code is unconstitutional. If sexual orientation is ruled to be a prohibited grounds for discrimination under the Charter of Rights, then Saskatchewan will have to quickly change its code to make it conform. Until someone challenges this to the highest court in the land, the Supreme Court, we will never know.

The second and more serious of the problems with the arguments presented by the Minister of Justice relates to the Mossop case, dealt with by the Supreme Court of Canada in February, 1993.

Unfortunately this case did not deal with the constitutionality of sexual orientation but instead with family status under the Canadian Human Rights Act. The issue at hand involved a federal civil servant who was denied a day of bereavement leave to go to a partner's father's funeral. He argued that family status, which is included in the code as a prohibited grounds for discrimination, included sexual orientation.

Mr. Speaker, the court ruled and the court ruled four to three against interpreting family status to include sexual orientation. The justices were as divided as they could get on this, and what is of most significance, however, are the comments made by Chief Justice Lamer in his ruling.

After giving his ruling, Justice Lamer said, and I quote:

This decision should not be interpreted as meaning that homosexual couples cannot be interpreted as a family for the purposes of legislation other than the Canadian Human Rights Act. In this regard each statute must be interpreted in its own context.

The judge also did not rule out the possibility that concepts of individual prohibited grounds for discrimination may overlap. An example of this is that if sexual orientation is a prohibited grounds for discrimination, then it might have some bearing on the interpretation of family status for this Act and other Acts.

Mr. Speaker, what the justice of the Supreme Court was implying is that if we were to add other grounds for discrimination to our Human Rights Code, other grounds like sexual orientation, it will be open to the interpretation of the courts.

Mr. Speaker, what we have is the Saskatchewan Minister of Justice trying to assure the people of our province who are concerned about this Bill that adding sexual orientation will only affect hiring and employment practices, will only affect accommodation and housing. On the other hand, we have the Chief Justice of the Supreme Court of Canada, an individual who will have great influence in how the amendments of this Bill are determined, telling us that he may interpret it to mean more.

What does all this mean, Mr. Speaker? Well it means that if Saskatchewan is to add the term sexual orientation to the Human Rights Code, despite the minister's assurances, there are no guarantees that Bill 38 is limited to just offering protection in the workplace and place of residence. This possibility is confirmed by the Chief Justice of the Supreme Court of Canada.

Adding sexual orientation to the code, as the Supreme

Court Chief Justice warned, does not rule out the possibility that in a legal challenge the court might interpret it to mean a change to the idea of family status. If that happens, this could have a bearing on Acts such as The Adoption Act, a variety of pension and tax Acts, as well as The Marriage Act. The definition of family could change contrary to the wishes of people who live in my constituency. And there are no guarantees, and Justice Lamer's comments confirm that.

Add to this the questionable constitutionality of sexual orientation because of no Supreme Court ruling, and there is a recipe for confusion, which is really what we're here to make more clear.

Another legitimate concern made by some individuals can be found by reading the Bill itself. In the words of one lawyer who reviewed the proposed legislation out of several on my behalf, a person could draft amendments to this Bill for a month and it would not provide adequate reassurances that other Acts would not be affected.

While section 47 is a concern because it may allow for affirmative action programs, it also raises other concerns. This concern deals with education. Under section 47 or clause 18 of the Bill, the Human Rights Commission can force someone contravening the Act to implement a program to redress the damages and ensure they cannot be committed again.

The problem is that there is no limit on what program the Human Rights Commission might introduce. It is a judgement call on what they could do to re-educate people committing an offence. It is an indisputable fact that many Saskatchewan people could benefit from programs that would reduce discriminatory and intolerant thinking. However, this section requires greater specificity.

A similar difficulty is found in section 25 of the Act which is amended under this Bill. Section 25 lays out the responsibilities of the commission, one of which is education against discrimination. Could that responsibility involve seeing the board do what many fear and have raised, and that is to promote a particular lifestyle?

Well I imagine that individuals like Donna Greschner, the chief commissioner of the Saskatchewan Human Rights Commission, would exercise common sense. There are grounds to imagine that these concerns have a foundation, however reasonable or unreasonable they may seem.

Another real concern in the Act is in the new section 38(3). Under this section anyone can bring an action against anyone contravening the Act or attempting to contravene the Act through the courts. The amendments in Bill 38 . . .

(1700)

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

**Mr. Koenker:** — Mr. Speaker, my understanding is that reference to specific sections of legislation is not to be made in second-reading speeches. Would you clarify that, please.

**The Speaker:** — I want to speak very briefly to the point of order that is made, the point of order that the member speaks to. I think in this legislature there has been always a broad interpretation, and the Speakers have allowed the members to refer to sections of the Bill. I do want to advise the member from Saskatoon Greystone that she should not get into the clauses of the Bill. And I think in one reference she did refer to a clause of the particular Bill.

Don't get into the detailed arguments of the clauses of the Bill. Those should be reserved for Committee of the Whole, and in second reading we really should be referring to the principle of the Bill. So if you refer to any sections, do it in general terms.

**Ms. Haverstock:** — Thank you, Mr. Speaker. I am sorry if I was being too specific. I actually thought I was making general comment.

The amendments in Bill 38 include making attempts to contravene the Act an offence, and that is probably a just reform. The real problem with portions of this Bill, however, is that previously the judge was only allowed to restrain offenders; now a judge can make any order he sees fit. Does this mean they can introduce any kind of action that they choose, affirmative action programs, etc.?

Questions are left unanswered, Mr. Speaker, and they represent gaping holes in this particular piece of legislation. For the minister to leave gaping holes in an Act such as this is quite unacceptable. While most people want to see people, homosexuals, protected from discrimination in seeking employment, in protection in their jobs, and in housing, they want to be fully aware as to how far this will go.

Given the legal turmoil and the possibility expressed by the Chief Justice that this could be interpreted to mean something different with sweeping ramifications, I must conclude that the minister failed to provide important public reassurances within this Bill.

When analysing and consulting on this Bill and through the letters and the many telephone calls about this Bill, I really am impressed by the fairness expressed by most people in Saskatchewan toward protecting their fellow citizens from discrimination and denial of the right to fair employment and housing.

I find it most unfortunate that the government has intentionally or unintentionally given two different groups of people entirely different impressions of what this Bill may or may not do. In speaking with many members of the gay community, I am left with the feeling that they fully expect that the Bill may provide for recognition of family status in same-sex

relationships as time goes on. Yet the Minister of Justice stood in this very legislature and assured the public that this is not the case.

I see that as some evasion of responsibility on the part of government which has an obligation to clearly define the parameters of legislation, particularly on a sensitive issue such as this, so that people are comfortable with what is being voted upon and what its complete implications will be, without having to rely on the courts for ongoing interpretation.

The most unfortunate thing in all of this is that the government has now brought two separate issues to the table, Mr. Speaker: the issue of family status which is the desire of so many same-sex couples, and the issue of discrimination against gays in the workplace and in living accommodation.

Now I recognize that there are issues supposedly not encompassed by this legislation which are of tremendous importance to the gay community. There are many in society who have fears and suspicions about homosexuals largely, I believe, because they have not knowingly been associated with gay individuals in their careers or in their family and social interactions. Most often those fears and misgivings are based on a lack of exposure and knowledge.

I have personally known, worked with, and become friends with a great many people in my life in numerous careers and activities. Some of these people are homosexual. Some are open about their homosexuality; others must hide it from their employers out of fear of losing their jobs, even their families, out of fear of rejection.

I understand because of my interaction with these individuals that they have the same emotions, the same concerns, the same dreams in their lives as any other individuals in society. I understand that sexual preferences aside, same-sex couples experience the same intensity in their relationships as those of us in our heterosexual relationships. These men and women enjoy the same joys, the same disappointments, the same pain when relationships fail, the same fears when a partner becomes ill, the same sorrow and grief when a partner dies. Many in society think that it is only people in heterosexual relationships who have cornered the market on what they term "normal" emotions.

It is difficult for me to do what I feel must be done in opposing this Bill in its present form because no matter how my argument is presented, there will be some in society who will believe that any recognition of homosexuals is wrong. And some who will believe that it does not matter if the government misleads the public about the potentialities of this Bill, because it does not go far enough. And there will be some in this very Assembly and in society who are more interested in the politics of the issue than in its humanity.

But public policy making is difficult and I accept my responsibility in it. I, like you, am not elected to promote or to oppose homosexuality. This is an issue

that should be left to the individual. I am not interested in engaging in battle with extremists on this or any other issue. I am elected to ensure that our society is as fair and just as it can be and to reflect the wishes of the majority of the people who reside in my constituency.

The majority of the people in my constituency, the people I am elected and paid to speak for, have given me a very clear message. They are willing to support Bill 38 if it protects homosexuals, single parents, and welfare recipients from discrimination respecting their employment and their living accommodation. I believe that to be reflective of the humanitarian and religious make-up of my constituency. And I am proud to stand and represent the points of view today in this Assembly of those men and women.

But I want to ensure that what I am voting on, what my constituents think I am voting on, is a Bill which does what the government purports it will do. Therefore I see this as much of an issue of public trust as I see it as an issue of human rights.

If the government with its overwhelming majority does not wish to present a Bill which may be the subject of court challenges on the issue of family status, then it should be willing to offer the public some assurance other than that of politicians that the Bill does no more and no less.

If it is the intention of government to present a Bill which leaves itself open to the interpretation of endless court battles, then government should have the courage to be straight with people about whether those possibilities exist.

This is not a case, Mr. Speaker, of my lawyer is smarter than your lawyer or I have more legal opinions than you do so I must be right. This is a case of having within our system an authority in the Saskatchewan Court of Appeal which can give us a legally technical and objective opinion which will be accepted by the public as being at arm's length from politics.

We have such a tool and I am saying that we should use it. When there is a reasonable doubt, as I believe there is in this case, then extra measures should be undertaken to remove those doubts one way or the other. Failure to do so is in large measure the betrayal of public trust.

If we as MLAs (Member of the Legislative Assembly) are to attempt to represent the wishes of our constituents with respect to legislation of a sensitive nature, then we must be absolutely clear as a collective body about what the legislation does.

No matter what the issue, there will be differing opinions. That is democracy. But I believe that all of us must be able to explain without any doubt what the impact of this legislation will be before telling people that it does nothing beyond its intent. From this perspective, the rights of the majority which must be respected as fully and as dutifully as the rights of those against whom discrimination is levelled.

Some have raised the use of a referendum or plebiscite on this issue, and I ask the question why. Why would we incur the expense when all that is required is for each member in this Assembly to do the primary job they have been elected to do, namely represent their constituents.

This leads to the use of a free-standing vote which the Saskatchewan Liberal Party promoted during the election on issues such as this. We as a group of candidates chose because of a wide range of personal views of how we would approach any kind of issue of a sensitive nature, and we said we had a primary responsibility to our constituents and needed to reconcile our own personal views with those of our constituents.

Why? Because, Mr. Speaker, this is not simply about an individual member's personal point of view. This is about giving a voice to the views of one's constituents and reconciling the difference between the convictions of the member and his or her constituents, if there is one.

Most importantly, this is about public trust, which I guess is not a topic that's of terribly great importance to the members opposite, in other words, ensuring that the government is presenting the contents and implications of this Bill accurately and honestly to all of the public.

The government is on record for saying that it does not support through this Bill, and I quote "the recognition of homosexual marriages." It says, quote: "there is nothing in this Bill which speaks to the question of the entitlement of homosexual partners to spousal benefits."

The minister speaking on behalf of the government says, and I quote: "there is nothing in this Bill which affects the adoption of children." The government indicates that, and I quote: "this is not the thin edge of the wedge on the question of the legal position of homosexuals. So far as this government is concerned, the law will go this far and no farther."

The government is on record for saying that it wishes for this Bill to only protect homosexuals from discrimination in the workplace and in seeking living accommodations. It is on record for saying that Bill 38 does that and only that with regard to rights for homosexuals.

If indeed they believe all of these things, they should not hesitate to send the Bill to the Court of Appeal for review. This would not have to tie this Bill up forever. It would provide assurance to everyone as well as providing support to the government, if the government is correct in its own analysis.

I know that gay and lesbian people would prefer that the Bill did go further than its intent as outlined by the Justice minister. If the government in fact agrees that there should be spousal benefits, if they agree there should be adoption rights, if they agree that there should be a recognition of same-sex marriages, then it

should have the courage to entrench those rights in its legislation.

It is unfair to all people to have government either misrepresent its intentions or make legislation obscure enough to result in endless court challenges.

But we in this Assembly should not have to second-guess legislation. My job is to examine the contents of the proposed legislation, to determine whether it is going to do what it is stated it is intended to do, to make public the contradictions and/or implications and to make recommendations, and I am doing just that. How can, and why should, any member of the public trust the government if they discover that the government is forcefully telling them one thing with assurance, but valid questions dictate that they may not be telling the truth?

Therefore, Mr. Speaker, it is not out of a lack of sensitivity for barriers faced by same-sex couples, not out of prejudice or a lack of understanding for the discrimination faced by gays that I am withholding my support of this legislation pending its clarification. It is simply a matter of balancing the intended objective of this legislation with protection of the public trust in the institution of government, to pass legislation which does what politicians promise it will do.

(1715)

This is an underlying foundation of democracy and should be of paramount concern to us all regardless of the issue under discussion at any time in our history. As British author Charlotte Brontë said in the 1800s, and I quote:

Prejudices, it is well known, are the most difficult to eradicate from the heart whose soil has never been loosened or fertilized by education: they grow there firm as weeds among stones.

I am pleased to say that the constituents of Saskatoon Greystone want to see homosexuals protected from discrimination in employment and in the procurement of housing. They want those protections placed in the Human Rights Code, Mr. Speaker.

It is clear from the legal confusion in the courts, the lack of clear constitutional answers on this issue, and clear comments made by the Chief Justice of the Supreme Court that this Bill, Bill 38 may do precisely what the minister says it will not do. This is unacceptable to my constituents and to many other residents in this province who want solid assurances that this Bill will do what the minister claims it will do, and nothing more.

Mr. Speaker, it is unfortunate that in the government's undertakings to introduce change in Saskatchewan, whether it is in health care, agriculture, education, or human rights legislation, and in spite of the time that they have had to prepare and the resources at their disposal, they've done a less than adequate job of providing legislation which ensures that it will deliver

on its intended objective as presented to the public.

As someone who has supported health care reform for the last several years, I had to vote against Bill No. 3, An Act respecting Health Districts, because it would not accomplish the stated objective and was, in my opinion, a poorly drafted piece of work granting far too much power to the minister.

As one who supports equality and freedom from discrimination no matter what the group in question, I would not in good conscience support a Bill which without amendment leaves gaping holes for legal challenges — legal challenges which may in the end extend the scope of the Bill to do far more than the minister and his government intended it to achieve.

Mr. Speaker, having resolved this issue between my conscience, the desires of my constituents, and the leadership role we each hold as legislators, I must stand in my place and ask the Minister of Justice to refer Bill 38. I urge the members opposite and the minister to refer this Bill to the Saskatchewan Court of Appeal through The Constitutional Questions Act.

By using this process the government can determine whether sexual orientation is covered by the equality provisions of the Charter of Rights and Freedoms. What is required is for the court to determine the parameters of the term “sexual orientation” as it is contained in Bill No. 38.

Referring this Bill to the Court of Appeal would provide the guarantees sought by the constituents of Saskatoon Greystone and many residents across this province that this Bill will do only what it is intended to do. If the government is confident of this, it should have no qualms about doing so.

Should the minister and the members opposite fail to withdraw Bill 38, I ask them to do the honourable thing and extend the privilege which I enjoy today. I urge this government to allow each member a free vote. That is what had been decided by the Liberal Party that each and every one of our members would be able to do if they were in this Assembly, and that is what I stand before you and request today. Let each member vote according to his own conscience. Let each vote according to the will of their constituents. Let each vote according to what they believe is in the best interests of the people of the province.

And it is incumbent upon each member of this Assembly to become educated about the contents of this Bill and not simply to accept the word from cabinet on high, as they do with everything else. I would hope that we are all compassionate and charitable people, but we must be able to speak authoritatively and truthfully to the people of Saskatchewan based upon a full understanding of the implications of Bill No. 38 and any other controversial legislation before this House. All Saskatchewan residents, be they homosexual or heterosexual, deserve for this legislation to be well drafted.

Now I have spent some time in this legislature — not a

great deal of time — but I am guided by a particular prayer and I shall end with it, Mr. Speaker: God, please treat me tomorrow as I have treated others today.

Thank you, Mr. Speaker. I move adjournment of the debate.

Debate adjourned.

## COMMITTEE OF THE WHOLE

### Bill No. 34 — An Act to amend The SaskEnergy Act

**The Chair:** — I will ask the minister to introduce his official to the committee.

**Hon. Mr. Anguish:** — Thank you, Mr. Chairman. I have with me today Robert Haynes. He is general counsel for SaskEnergy.

#### Clause 1

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, I appreciate the confidence you have in your help there; you just brought one. So we'll try to be as easy on him as we can.

First of all, Mr. Minister, could you explain to me what you hope to do with this Bill? What is the purpose of this Bill?

**Hon. Mr. Anguish:** — There are two purposes for the Bill. First off, the proposed amendment to section 12 is necessary to clarify the corporation's position with respect to its exposure to liability. The second amendment deals with section 59 of The SaskEnergy Act and it's necessary to clarify the corporation's position with respect to payments in lieu of taxes for direct sales customers. Without the amendment to section 59 the corporation is obligated to make global payments in lieu of taxes to municipalities regardless of the corporation's ability to collect the surcharge from the direct sales customers.

**Mr. Britton:** — Mr. Chairman, Mr. Minister, could we have an example of what you just explained there?

**Hon. Mr. Anguish:** — In regard to the amendment to section 59 of The SaskEnergy Act, this came about with deregulation in the direct sale companies that operate within Saskatchewan. For example, right now there could be a case where a customer who is on direct sale could refuse or not pay the transportation charge. We would have some problem. We'd have to take legal recourse to go after that charge and we would still be obligated to pay the municipality in the . . . payment in lieu of taxes. So this just makes it so that . . . it makes it very clear that the customer on direct sale has to pay the surcharge, which is in turn passed on to the municipality.

In terms of liability, it was a bit of an oversight, I guess, in the original drafting of the Bill, and this gives greater clarification into when SaskEnergy would be liable and it could save, I suppose, some frivolous and

vexatious actions on behalf of individuals or I guess individuals or corporations that may end up taking us to court. It clarifies where SaskEnergy would accept liability.

**Mr. Britton:** — Thank you, Mr. Minister. In 59 I have a couple of things that I'd like to develop with you. Who is a customer under this? Who is a customer? We're talking about customers of a subsidiary. Is that oil companies?

**Hon. Mr. Anguish:** — It could be a customer of SaskEnergy, for example, the many industrial, commercial, and residential customers that we have within the province that purchase natural gas and have it delivered through the TransGas system. It could also, I understand, mean a producer who uses the TransGas system to transport their gas from one point to another, from the producing area to the market.

**Mr. Britton:** — Thank you, Mr. Minister. One other thing I'd like to draw to your attention. You're saying here, in accordance with regulations, and you can pay such amounts as collected. This appears to me to be taxation by regulation and not by legislation. Don't you think that's a little bit of a slippery slope to get started on?

**Hon. Mr. Anguish:** — The regulation basically, hon. member, sets out a formula by which the rate is calculated. And within that rate of calculation there are some variables that move from time to time, for example, the price of natural gas, what SaskEnergy of course would have to pay for it from a producer. And I don't think we'd want to come back to the Legislative Assembly each time the price of natural gas changed on the spot market or medium- or long-term contracts.

Therefore we'd want you to have some comfort in the formula itself. We believe that the formula is fair. And the reason it's in regulation is we wouldn't want to come back to the Legislative Assembly each time the price of natural gas changed.

**Mr. Britton:** — Thank you, Mr. Minister. That helps a little bit. From what you said I understand now is that based on the formula that's put into the Act is the only change that would happen to the payments made to . . . Okay.

**Hon. Mr. Anguish:** — I would correct you just a little bit if I understand what you're saying. The formula is not in the legislation; the formula is in the regulations. And you'd be more than welcome — the regulations are public — to look at that formula.

If you had some concerns about the formula, I'd certainly be happy to hear those from you. But both the formula and the rate would be set by regulation. It's the formula though, I think, that's important to you, to have some level of comfort that the formula in fact is fair.

(1730)

**Mr. Britton:** — Thank you, Mr. Minister. Then I think the way I understand this is . . . the formula is in the Act?

**An Hon. Member:** — No.

**Mr. Britton:** — No. It's not in the legislation? No. It's just done by regulation. Then I come back to my original question — that taxation can be changed by regulation.

**Hon. Mr. Anguish:** — Yes, that's correct. And I think I explained that in that the reason you want it in the regulations is because of some of the variable prices that we have no control over that move from time to time. And as those costs change, we pass that on to the customer.

There's an enabling section within the Act that allows the formula to be set in regulation and the rate to be set from that formula.

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Mr. Minister, what consultations do you have with the industry when you look at the formula? Now I think it's fair enough to say that as the prices change, the amount of taxation will change on the formula because the price component will have changed. But when you change the formula, do you have any consultation with the industry prior to that? Or how do you handle that?

**Hon. Mr. Anguish:** — In this particular change we consulted with SIGUA, the Saskatchewan Industrial Gas Users Association and also with SUMA who are actually affected by this. And they were consulted, I understand, prior to the regulation being put into place. So there was that consultation with those two major user groups that would be affected by the regulation.

**Mr. D'Autremont:** — What kind of a comfort level could you give those groups that regulations would not be changed simply by the government without consultation and without agreement by those groups?

**Hon. Mr. Anguish:** — Well we do have a policy of consultation. I would not want there to be a change in the formula without having consultation. I would give you that commitment as the minister in charge, and I would instruct the employees at SaskEnergy not to change the formula unless there was consultation with those groups.

I cannot assure you that there would be consultation when the rate changes because sometimes that rate can change because of the variables that we have absolutely no control over. As much as we can, if we have advance warning that the rates are going to change, I have already in the past instructed the SaskEnergy officials to inform the stakeholder groups that some change could be coming down because of variables that we in fact don't have control over.

**Mr. D'Autremont:** — Well, Mr. Minister, if those variables are built into the formula, I believe that the

various groups then would understand and anticipate those changes. But it's when you change the formula structure, when you change perhaps the percentages in that formula so that the government would get a higher percentage out of the taxes, that I think is where industry would have some very serious concerns, that before you change that, that you consult with them and you get their agreement on those changes.

**Hon. Mr. Anguish:** — Well I can't always promise you that we'd have total agreement, but we certainly will consult. I've instructed the SaskEnergy officials that they would not be allowed to put a regulation through, which has to go through a regulations committee of cabinet of which I'm also a member. They would not be changing the regulations without extensive consultation with the stakeholder groups.

As to whether or not there would be total agreement and arrive at consensus if there was a change coming, I can't assure you that. But I certainly can assure you that there would be advance consultation that would be meaningful to the stakeholder groups.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

The committee agreed to report the Bill.

#### **Bill No. 44 — An Act respecting the Inspection of Gas Installations and Gas Equipment**

**The Chair:** — When his officials join him, I'll ask the Minister of Energy to introduce his officials for consideration of this Bill to the committee.

**Hon. Mr. Anguish:** — I have with me Tony Vournazos and Jim Mitchell. Jim Mitchell is closest to me and Tony is the gentleman in the dark suit further down from him.

#### **Clause 1**

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, could you tell me who the government consulted before you brought this Bill in.

**Hon. Mr. Anguish:** — There was a good amount of internal consultation within government. There was a lot of debate at one time whether or not part of the gas installation should go under SaskEnergy. It was determined that there was potential conflict of interest there. It was expressed to us by a number of people in the private sector. They felt there was a conflict of interest. We looked at the wisdom of their representations and decided that yes, the gas inspection should remain under SaskPower.

We also consulted with the chief inspector and the superintendents who are involved in this work on a day-to-day basis.

**Mr. Britton:** — Thank you, Mr. Minister. Was the industry itself consulted?

**Hon. Mr. Anguish:** — There are meetings from time to time between the Crown and those people in the private sector, and it was raised at individual meetings. There was no special, formalized consultation process, but there was an exchange in feedback at these meetings that are held from time to time with the chief inspector.

**Mr. Britton:** — I guess I was thinking in terms of the gas-fitters and those kind of people. Have you had any feedback from them in opposition to this Bill?

**Hon. Mr. Anguish:** — We've had no negative feedback. The feedback we have had is supportive, and the industry in fact — I'm told by the officials — supports the amendments we're dealing with here today.

**Mr. Britton:** — Thank you, Mr. Minister. Could I ask at whose request was these changes made, was the Bill introduced? Who requested the Bill to be introduced?

**Hon. Mr. Anguish:** — Both chief inspectors because there was some ambiguity in terms of the carrying out of this service. And I guess basically it goes back to a period of time where there's a bit of a learning curve, I suppose you could view it as, when SaskEnergy was split off from their traditional place within the Saskatchewan Power Corporation. Now that we have SaskPower and SaskEnergy as separate entities unto themselves as Crown corporations, it was determined that there was a need for this, and the chief inspectors basically were the ones who identified this need. And it was identified also because of concerns of those people that are involved in the private sector.

**Mr. Britton:** — Thank you, Mr. Minister. Could you tell us what additional cost will be incurred by this Bill?

**Hon. Mr. Anguish:** — There are no costs incurred by the Bill that would be identifiable as extra costs because of the changes we're making here today.

**Mr. Britton:** — Thank you, Mr. Minister. Before I go on, Mr. Minister, I'd like to commend the government for section 10. Section 10 deals with search and seizure, and the NDP have made it necessary for a warrant to be issued before a search can be conducted. We asked for that repeatedly last year, Mr. Minister, and I want to commend you on having put that section 10 in there. We think it was needed, and we appreciate your taking our recommendations and inserted it into this Bill.

**Hon. Mr. Anguish:** — Well I thank you for that. This Bill and also the one that follows are our response to being more efficient and taking into consideration the job that has to be done by the inspectors.

Clause 1 agreed to.

Clauses 2 to 31 inclusive agreed to.

#### **Clause 32**

**Mr. Britton:** — Thank you, Mr. Chairman. In clause 32 of the printed Bill, I would like to:

Amend clause 32 of the printed Bill by adding immediately after the words “subsection (2)” where they appear in subclause (1) thereof the following:

“, provided that no such fixing of costs shall be of any effect unless and until approved by the Legislative Assembly or any committee thereof established for the purpose of reviewing such fixing of costs”.

**Hon. Mr. Anguish:** — Yes, I'd just like to respond to that. I appreciate the member's intent by the amendment. I don't know that if we took it to its logical conclusion that the member would want the Assembly to get involved in the business of setting the fees. Just by knowing, yourself, the process in the Assembly, it could become quite cumbersome.

What I suggest to you as an alternative, that you're more than welcome to examine these, have full examination of them when we come before the Crown Corporations Committee with SaskPower. And I think that we can have full examination.

Right now when we look at the fees in Saskatchewan, to give some comfort, we are lower than most provinces. In fact there are only three provinces that have lower fees than we do at the present time. The province of Manitoba is lower, the province of Prince Edward Island is lower, and Yukon Territory is lower. We don't have the data on the province of Quebec or Newfoundland. But if you look at B.C. (British Columbia), Alberta, the Northwest Territories, New Brunswick, Ontario — all of their fees are substantially higher than the province of Saskatchewan.

So based on the cumbersome process of passing fees through the Assembly, I'd say that I apologize for not being able to accept that, but I would want the minister . . . or the hon. member to put us through full examination when we come before the Crown Corporations Committee on the issue of fees.

(1745)

**Mr. Britton:** — Thank you, Mr. Minister. I want to point out something to you, and that is you have made an acknowledgement that fees would be going up on a regular basis. You hadn't said anything as to whether there was a need. And I don't think that we can talk about the fees being lower than some other area. That doesn't make them cheaper.

I think what we have to look at is the cost to us for the product rather than compare it with Ontario for instance. The cost to Ontario could be very high. So we would like to have a little more say in the raising of fees rather than just do it on an annual basis whether you needed the income or not. That's precisely what the amendment would do.

**Hon. Mr. Anguish:** — Well gas fees — I'm not sure if I understand the member's line of questioning — but gas fees have not gone up now for seven years, I believe it is, and we are actually running a deficit. If the member is suggesting that we increase the fees, that may be something that we can look at, but we'd want some consultation on that.

Right now the deficit in the gas inspection . . . or does that include gas and electrical? If you include gas and electrical inspection fees together, we run a deficit currently of about \$1.7 million a year.

And as I said earlier and I repeat, for seven years the gas fees have not gone up. So we don't expect to have regular and large increases, but I'd certainly be willing to sit down and talk with the member about how we recover the \$1.7 million deficit within this inspection program.

**Mr. D'Autremont:** — Thank you, Mr. Chairman. One of the reasons this amendment was brought forward, Mr. Minister, is that for the issue of accountability. The Premier and a couple of the other ministers have stated that there will be regular increases in some of the costs such as SaskTel rates, SGI (Saskatchewan Government Insurance) rates, SaskPower rates.

And our concern is that some of the fee schedules within this Bill that are controlled under this Bill may also be increased at a regular rate irregardless or regardless of the actual necessity for those fee increases, but simply that they will be raised on a regular basis. And we believe that there should be some measure of accountability to the legislature, to the province, for those fee increases.

Donald Gass in the Gass Commission report recommended that those kind of fee increases, those kind of fees be looked after by a committee of the legislature, that those fee requests go to a committee of the legislature and then to the legislature itself through the committee. And this amendment is proposed to work towards that — that either it come to the legislature or that a committee be set up and structured to allow those fee requests to go to that committee.

**Hon. Mr. Anguish:** — Well I understand what the member is saying. The comment that you're referring to deals with the actual rates charged to customers. The last time I believe that the SaskPower rates went up for electrical users, it was stated at that time that there would rather be a move towards regular increases than waiting till we fall into a large deficit position and having a large increase that was unacceptable.

What you're basically talking about now is a public utilities review commission or something similar to that. And I know under the previous administration there was a Public Utilities Review Commission and it was abolished.

I think that in the long term we have to look at review of utility rates. I don't think there's any question about



that. But to do that by bringing gas inspection fees before the Assembly, I just don't think you would find to be something that would be acceptable to you or to the public.

If you're talking about something that's broader than that so that it's a public utilities review, then certainly that's something that's inevitable down the road. And we have to work together to figure out the best way to do that.

In fact I'd go so far as to predict that if we don't do something over time or show movement in that direction, that there could well be a federal regulatory body that would look at some of the things that happen within the province regarding our utilities, especially when we export outside of the province, whether it be to one of our neighbouring provinces or whether it's to the United States of America.

But I think that what you're talking about is something quite different from the fees here for gas inspection and the next Bill being on electrical inspection. It's a much broader picture that . . . I grant it; we do have to look at it. And I think the better place to deal with that is in the Crown Corporations Committee and to try and work together there to decide the best format in which we have a more transparent system of looking at our utility rates.

Amendment negated on division.

**Mr. Britton:** — Thank you, Mr. Chairman. I would like to move an amendment to clause 32(a). This is much the same as the other one, Mr. Chairman. I would like to:

Amend clause 32 of the printed Bill by adding immediately after the word "regulations" where it appears in subclause (2) thereof the following:

“, provided that no such fees or costs shall be of any effect unless and until approved by the Legislative Assembly or any committee thereof established for the purpose of reviewing such fees or costs”.

I so move.

**Hon. Mr. Anguish:** — Again I understand the intent of the hon. member, but I find it to be not acceptable at this time for the same reasons as your previous amendment was. I really appreciate your intent and what it is you're trying to do. But I think when you narrow it into the specifics of one inspection fee, in this case on gas inspections, that it just becomes unworkable. Because if you carry that through to the logical conclusion, that would mean that every rate and fee would come before this Assembly or some committee that's not yet set up.

(1645)

I'm willing to work towards what I think the intent of the member to be. I'm willing to work with him on

that, but not in this format. It just becomes too unworkable, and we could spend all the time of this Assembly dealing with rates and fees and schedules. And I don't think that's the intent of the member. So I apologize for not being able to accept that amendment.

Amendment negated on division.

Clause 32 agreed to.

Clauses 33 to 42 inclusive agreed to.

The committee agreed to report the Bill.

## **Bill No. 45 — An Act respecting the Inspection of Electrical Equipment, Installations, and Materials**

### **Clause 1**

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, again I would like to ask at whose request was this Bill introduced?

**Hon. Mr. Anguish:** — It would be the same as the answers I had given to the previous Bill. If not almost identical, the Bills are very, very similar.

The most controversial thing that was talked about before the Bills came into place was whether or not the previous Bill that we just dealt with should come under SaskEnergy or the SaskPower. And it was decided it should come under SaskPower, but there was the same consultation process that took place for the electrical inspection as there was for the gas installation Bill.

**Mr. Britton:** — Thank you, Mr. Minister. Again the question would be then, is there any additional cost to this Bill?

**Hon. Mr. Anguish:** — We anticipate no additional costs flowing from this Bill.

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Mr. Minister, some people in the construction industry have expressed some concerns about some of the items within the Bill, particularly section 18 where it talks about costs being charged back to contractors by SaskPower after they have bid on a piece of work; that some of the costs of the approval of some of the equipment could be charged back to the contractors, and the contractor under those circumstances would have no measure to recover some of those additional costs which he can't foretell what they would be.

**Hon. Mr. Anguish:** — What section 18 does is it ensures that contractors do use equipment that's CSA (Canadian Standards Association) approved or the equivalent. And what our thrust is here is really to get suppliers — not necessarily the contractor but suppliers — to provide CSA-approved equipment. If in case a contractor does use equipment that is not approved by CSA or equivalent, then that contractor would be liable in the situation of a work deficiency.

**Mr. D'Autremont:** — Well that may sound very well, Mr. Minister, but unfortunately the contractor here is caught in the middle. He may not . . . he has equipment to do the job; he comes forward to SaskPower and bids on a tender to do the job, and then SaskPower turns around and says, well we have to test to see whether this equipment is approved, or is it approved, so investigations have to be made. And that cost goes back onto the contractor, not onto the supplier.

So there is a concern there, Mr. Minister, about additional costs that the contractor cannot anticipate until he's actually on the work site.

**Hon. Mr. Anguish:** — Well it's very easy to identify what equipment is approved by the CSA; it all has a CSA sticker on the equipment or the machine that a contractor would be using.

Myself personally, if I wanted personal work done, I would not want a contractor using unapproved equipment because I think that there is a system in place for making sure safety standards are met. And I wouldn't anticipate any large costs to a contractor. I'm sure that contractors currently who have equipment would know very, very well prior to doing any job as to whether or not the equipment is CSA approved.

**Mr. D'Autremont:** — Well, Mr. Minister, with SaskPower there are times when SaskPower has their own standards. When you look at electrical wiring . . . contractor who puts electrical wires into your home has to have CSA-approved wire. When the electrical contractor goes out to do work for SaskPower, SaskPower has a separate set of standards, and at times those standards do not meet CSA approvals, but they meet SaskPower's approvals to use within their facilities.

And in this kind of a circumstance, Mr. Minister, SaskPower could turn around all of a sudden and say, well you have to use this other equipment, when they have been providing equipment to SaskPower that had met SaskPower's regulations.

**Hon. Mr. Anguish:** — I think we're talking about two different things. The electrical inspection takes place after the meter. Okay? And certainly anything after the meter, SaskPower does not have a different set of standards. They follow the Canadian code and it's exactly the same code that would be followed by a contractor.

Now if you're talking about generating stations or transmission lines, there may be something different there. I don't know that and the officials here today wouldn't be in a position to answer that. But what we're talking about is from the meter after, and SaskPower follows exactly the same Canadian building codes as what contractors would be obligated to follow.

(1800)

**Mr. D'Autremont:** — Well thank you, Mr. Minister,

for that clarification because the contractors are concerned about this issue.

Also in section 19 they're concerned about the contractors being held responsible for any additional drawings that may be necessary for the installation, that those costs are passed on to the contractor; where if SaskPower asks for any additional drawings to be put in place, that that cost should be borne by the owner of the project and paid directly by the owner to SaskPower rather than by the contractor.

**Hon. Mr. Anguish:** — I'm told by the officials that there is not additional cost anticipated. There's a review fee, and that review fee has not changed.

When copies are requested, the policy is to request two copies, and one copy is returned. If you know of situations where that is not the case, I would be more than interested in hearing about that. But I'm assured and feel very comfortable that what the officials here they tell me is correct — two copies are requested, one is given back. There is a review fee — we acknowledged that — but the review fee by this Bill is not being changed.

**Mr. D'Autremont:** — Well, Mr. Minister, I believe what the contractors are concerned about is where additional drawings are requested after the project has been tendered and accepted. If there are some changes made in there, then the contractor is responsible for those drawings under this Bill, whereas it should be the owner of the project who is responsible for paying for those extra drawings that go to SaskPower.

**Hon. Mr. Anguish:** — Well I can't anticipate that happening unless there's some kind of a design change on the project. And if there's a design change on the project, then it should not be absorbed by the contractor.

The contractor needs to know what ground rules they're dealing with at the start of the project. And if someone, the owner or SaskPower, makes a design change — and I don't see us making any design change because it would meet the building codes — there should not be a situation like that, and the contractors should rest with some comfort that there's not going to be an additional cost to them.

**Mr. D'Autremont:** — Well again it's an issue that seems to be of some concern to the contractors.

Another issue that they have some concerns with is in section 21 with the provisions for stop-work orders and the charging of costs related to investigations. This stop-work order I'm assuming would be between the gas inspectors and the project going forward and SaskPower, with the contractor being caught in the middle and being forced to absorb costs while the stop-work order is in place.

**Hon. Mr. Anguish:** — I understand this provision is in the legislation in most of the other jurisdictions. And what it basically is, if an inspector arrives on the scene

and work is in progress and the inspector identifies a hazardous situation, then the inspector can in fact shut the work down. And I would have to agree with that.

If there is a hazardous situation that exists, we don't want it to cause a fire or cause an injury. And I feel that inspectors have every right to that. As long as contractors would be complying with the regulations and fair safety procedures, this provision of the Act would never be used.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, again I would like to commend your government for section 10(2). This again deals with search and seizure. You now make it necessary for a warrant to be issued. We agree with you on that. We asked for that last year and we're really pleased that you paid a little attention and we commend you for that.

Mr. Chairman, that is all I have until we get to section 13.

Clause 1 agreed to.

Clauses 2 to 12 inclusive agreed to.

### Clause 13

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Chairman, I would like to move an amendment to clause 13 of the printed Bill. I'd like to:

Amend clause 13 of the printed Bill by adding immediately after the word "corporation" where it appears in subsection (1) thereof the following:

" , provided that the fixing of such fees shall be of no effect unless and until approved by the Legislative Assembly or any committee thereof established for the purpose of reviewing the fixing of such fees".

**Hon. Mr. Anguish:** — Mr. Chairman, again I appreciate the intent of the member. But I would give the same response as in the previous Bill, that we really do appreciate the intent of the member but it's a bit unacceptable and unwieldy to have individual fees come before the Assembly.

Amendment negated on division.

Clause 13 agreed to.

Clauses 14 to 40 inclusive agreed to.

The committee agreed to report the Bill.

**The Chair:** — If the minister would like to thank his officials on the record, as they are leaving, you may if you would.

**Hon. Mr. Anguish:** — I'd like to very much thank the officials from SaskPower for coming to answer

questions today and providing me with their excellent advice. Thank you.

**Mr. Britton:** — Thank you, Mr. Chairman. I too would like to thank the officials for their help in getting us through these Bills.

### Bill No. 75 — An Act to amend The Freehold Oil and Gas Production Tax Act

**The Chair:** — It's the same minister but a different official, and I will ask the minister to introduce his official to the committee.

**Hon. Mr. Anguish:** — Thank you, Mr. Chairman. I have with me, Mr. Bruce Wilson. He's the executive director of petroleum and natural gas division.

### Clause 1

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Mr. Minister, I wonder if you could explain the reason for removing the word "prescribed" from section 3 of this Bill.

**Hon. Mr. Anguish:** — It takes away the regulatory-making provision that was there previously and puts it into section 32 of the Bill.

**Mr. D'Autremont:** — Thank you, Mr. Minister. I guess we'll discuss it when we get to 32.

Section 4 of the Bill, my colleague has been commending you for including the use of a warrant to do any search and seizures in the previous two Bills that we discussed. In this particular Bill that provision seems to have been left out. You have given your officials the power to enter into premises and to record records, etc., but no place in here does it say that they should have a warrant to do so.

I find it perfectly acceptable that they go onto the premises to do an oil inspection with the compliance of the owner. But where that compliance is not there, particularly in the circumstances where they would go to get records, I believe that unless they have the approval of the owner of those records, that they should indeed have a warrant to enter into the premises and to secure those records.

You did that in the other two Bills, and I believe that in this particular Bill you should also do that very same thing. We went through this discussion last year on some of the Environment Bills about having to have warrants to enter into premises, and I believe it should be done also in this case.

You talk in here about the use of:

. . . any machinery, equipment, appliances or (other) things that the minister or the officer considers necessary while at any place mentioned in clause (a) or (b).

Well, Mr. Minister, I would have to wonder what you plan on using this equipment for. In the case of some

of the Bills previously in the other session, past session, the government was giving themselves the power to utilize any equipment to enter into premises.

If the door was locked on your Quonset, or in the case here, of your treater at an oil installation or the gate is locked, they can use a bulldozer and run over it. And the company has no recourse for compensation back from the department.

In this particular case are you talking about the same thing? If you use a piece of equipment, the department officials use a piece of equipment and they harm it, will any compensation be paid to the owners?

**Hon. Mr. Anguish:** — On the issue of the equipment, we do not utilize any of the equipment without permission of the operators. For example, what we mean by equipment is if there was an audit being done they might utilize the photocopy machine of the particular company. If they were doing a production test on a well, they'd obviously need to use the producer's equipment to do that. And it's in cooperation with the industry.

I might also mention that the Canadian Association of Petroleum Producers has had full consultation with this particular piece of legislation. In fact we were going to introduce it earlier in the session. There were some concerns expressed by the Canadian Association of Petroleum Producers. We drew it back and had further consultations with them. So there's absolute full knowledge of what's happening here today with the industry.

(1815)

**Mr. D'Autremont:** — Well I'm pleased to know that the industry has been kept aware of what is going on, but we feel that it is improper for the government to enter into premises where they're not invited without a warrant. Most oil companies, gas companies, have no problem with the department officials coming onto their property. They welcome them.

But there may be opportunities where they are not welcome, particularly in the case of the taking of records or the recording of records. Those could be some trade secrets. There could be some reasons why someone would not want their records recorded.

If you feel that there is something criminal happening, if there is a problem, then you should have no problems in getting a warrant to get those records. But it should be a reason to record those without permission from the owner. If the owner gives you permission it's not a problem. But it's when that owner may be reluctant to allow you onto the premises that I believe that then you should have a warrant rather than simply walking in and taking it.

**Hon. Mr. Anguish:** — There's a couple points I'd like to make, and I appreciate the member's concern. The department officials would never enter a premises without permission of the company that they would be wanting to examine. That just would not happen.

In fact there may be situations where the department officials would in fact go and get a search warrant because they couldn't arrive at an agreement with the particular individuals or company that they needed to go in and examine, for example, records, production records maybe, of the company. So that would happen in some cases. We certainly would not enter unwanted into anyone's premises or office space without their permission to do so.

The second point I'd like to make is that it's very important that The Freehold Oil and Gas Production Tax Act is in line with the Crown minerals oil production Act. And this is exactly the same wording in this case as in the other Act, and I'd be hesitant to bring that other legislation back here.

The industry seems satisfied with the situation. The people in the department are, for the most part, long-term professionals that have built up a working relationship with the industry. And again I assure you that they would never intrude in an unwanted situation without the cooperation of the person that they were doing the investigation on.

**Mr. D'Autremont:** — Well, Mr. Minister, it's comforting to hear that you would not intrude where you're not asked to be. But you've nevertheless given yourself the power to do so if you wished.

Under section 26 of the Act, 26.1 or clause 5, it talks of:

Before commencing an appeal the taxpayer must pay to the minister any amount required to be paid as a result of the act or thing done by the minister . . .

This seems rather odd to me, Mr. Minister, that you would be asking the taxpayer, the individual taxpayer in this particular case, to pay for the actions that you as the minister undertook, or your department undertook.

**Hon. Mr. Anguish:** — Well I think it could cause us some problems with revenue flows. This provision or this occurrence does not happen very often, at least in the situation you describe. But we feel it's prudent in the province's interest if there's a tax amount owing, that in fact that tax amount should be paid. And if the person or the company being taxed wishes to appeal, they have every right to do that. And I think that that's consistent with the industry standard throughout the country.

**Mr. D'Autremont:** — Well perhaps, Mr. Minister, I misunderstood the word "taxpayer" in the context of this Bill. I took taxpayer to be a general person at large who may have an interest in some freehold, rather than an actual person owing tax monies to the government based on freehold rights.

If a person appeals who owes monies on freehold land, if they win that appeal, do they still owe money to the government for the actions taken by the

minister?

**Hon. Mr. Anguish:** — No. If a tax was assessed and the tax was paid and there was an appeal launched and the taxpayer won the appeal, then there would be a rebate of the amount that was ruled on by the appeal process.

**Mr. D'Autremont:** — But what of the costs incurred in that appeal, Mr. Minister? Would the taxpayer still be liable for those costs?

**Hon. Mr. Anguish:** — I would stand to be corrected, but I believe that the costs would still fall on the taxpayer in this situation. I'd want to draw it to your attention though that it does not go before the courts. The process that's set up is to appear before the Board of Revenue Commissioners. In fact it's a process whereby the individual, the taxpayer, could in fact represent themselves, so there aren't large legal costs and protracted appeals that would have to be absorbed by the taxpayer.

**Mr. D'Autremont:** — Thank you, Mr. Minister. Well in the situation where the taxpayer won the appeal, it was obviously then that the government was at fault. In that particular case, Mr. Minister, I feel that it should be the government that bears the costs of that appeal. In the case where a taxpayer appeals and loses, then indeed the taxpayer should pay those costs. The costs should be borne by the loser, the group that was at fault for the overassessment or underassessment as the case may be.

**Hon. Mr. Anguish:** — Are you making the case also then that the taxpayer, if the taxpayer's wrong, should pay the government's costs as well? I need clarification on that, what you're saying.

**Mr. D'Autremont:** — Well, Mr. Minister, if the government appeals a tax ruling that they themselves have set a fee on and it's a legitimate cost to the business that further taxes should be paid, that the government has undertaxed them, then the appeal costs, I would say yes, that the company should pay for those costs. But if the company appeals and wins, then those costs should be borne by the minister.

**Hon. Mr. Anguish:** — I'm sorry, I can't give you a definitive answer. I do not know the exact powers of the Board of Revenue Commissioners. The Board of Revenue Commissioners may well have the power to award costs, but I'm sorry I can't give you a definitive answer on that here today. I'd have to check on that, and if it's acceptable, I'd get back to you at a later date with the answer on that.

**Mr. D'Autremont:** — Well thank you, Mr. Minister, if you would.

Also in that section, in subsection 5 of that clause you deal with the onus of proof of the allegations of fact and law on which the taxpayer relies to support the objections is on the taxpayer. The onus is on the taxpayer for all the burdens of proof, and the taxpayer is therefore guilty until he proves himself otherwise.

We have talked a great deal today about the environment in the legislature. You were part of the Environment Committee. Part of the recommendations that came down from that committee was that the citizen should not bear the onus of proof and the cost when dealing with environmental issues.

Again in this situation though, that citizen, according to the Act, has the duty to provide the burden of proof. The burden of proof is on him to prove that he was wrongly taxed. I believe that there needs to be some adjustments in there, some fairness in line with what the recommendations came down with from the Environment Committee in dealing with burdens of proof, that you yourself sat on. I think this is one of those areas perhaps where there can be some adjustments made or some considerations for adjustments made.

Under the environmental regulations ... or excuse me, recommendations, is that the government bears the cost of providing that burden of proof. The citizen brings forward a concern and the government investigates it. In this particular case I believe that should also be given some consideration.

**Hon. Mr. Anguish:** — Well I think in this case we're dealing with a little bit different situation than what you talked about in the Environment Committee. The formulas are fairly straightforward. They're interpreted by professionals within the department. There's no advantage to a professional in the department to misinterpret the formula.

And who else would the onus be on other than the taxpayer? The taxpayer, if they're to say that something is wrong with the interpretation or the formula or the amount assessed to them, they would be the only people with that proof. So the onus has to be on them to show that in fact the department has been wrong in assessing the tax.

**Mr. D'Autremont:** — Well when it deals in a particular issue with whether the oil production on a particular location is 10 barrels a day or 100 barrels a day, then indeed that burden of proof should be on the producer. But when it comes to whether or not the formula has been applied correctly, well that formula is defined and is set out by the government and the government should bear the responsibility to ensure that the formula is calculated and applied properly. And there can be varying degrees in here, so I think some of that burden of proof does rest with the government.

In part 6 of this ... subsection (6) of this, (a) and (b), it talks about the burden on the taxpayer to ... I'll just read it:

... shall make production on oath of any documents, records or things that may be in the possession or under the control of the person or corporation and may be required to attend for examination and to make production in the

same manner as a party to an action in Her Majesty's Court of Queen's Bench for Saskatchewan may be required to attend for examination and to make production.

Well it seems all the burden is on the taxpayer; none of the burden is on the minister or the department. I think it should be equal, that both parties should have to be there, Mr. Speaker and have . . . Mr. Chairman, Mr. Minister, and have to make the productions of their documents.

**Hon. Mr. Anguish:** — Well I'd want to make a couple of points. Previously there was no appeal; in this Bill now there is an appeal process and it's to the Board of Revenue Commissioners. It makes this legislation consistent with the Crown minerals legislation which has been passed by the Legislative Assembly with your blessing and with the blessing of the industry.

This basically does the same thing which represents about 5 per cent of the lands that have production or exploration in Saskatchewan. And I don't know whether the member or not can give me a case where the department officials have been accused of interpreting the formula incorrectly, but I don't believe there is such a case, and so I think we're talking about a hypothetical situation that's never existed before.

If you can give me a case where in fact that has happened, we'll examine it for you, and I'll give you a response to it. But I believe that it's totally hypothetical what you're talking about. And I repeat again, this legislation now has in place an appeal process which did not exist before, so it gives more recourse to the taxpayer in this case than has ever existed in the past.

**Mr. D'Autremont:** — Well, Mr. Minister, we are pleased that there is an appeal process in place. And while freehold lands may only represent 5 per cent of the oil production in the province, freehold lands represent a significant portion of the production lands in my constituency. The burdens should be equally under this section, Mr. Minister, on both the taxpayer and the government when it comes to an appeal to provide their documents and to be present at the time.

**Hon. Mr. Anguish:** — Well give me some situations where this exists, and I'll personally talk to the individual companies or individuals in your constituency where this is a concern. We're sure there's not been a concern. If you have some examples of it, please provide me with the examples, and we'll look into it.

**Mr. D'Autremont:** — Well, Mr. Minister, I do not have any examples. And this House deals most of the time with hypothetical things, theoretical. So we don't necessarily always happen to have an example.

On clause no. 6, Mr. Minister, it deals with the setting of the fees and the taxes, etc. Just how much consultation did you do previously on this, and how much consultation will you do in the future before

making any changes under this section?

(1830)

**Hon. Mr. Anguish:** — We've just finished providing a report. Members of the opposition have access to it. In fact I believe that the critic was sent a copy of the task force on the regulatory measures, the fiscal measures. That's never happened before. So we have that consultation. That's going to be an ongoing process, and I've assured the industry that there will be ongoing consultation.

In this particular Bill, we had extended consultation with the Canadian Association of Petroleum Producers. Most of the people that have freehold lands in your constituency that you're concerned about, that represent more than the provincial norm in terms of freehold oil and gas, would be members of the Canadian Association of Petroleum Producers. And there's been wide consultation to date. And there will be extensive consultation in the future with the oil and gas industry before any changes are made.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, I did receive the copies of those surveys, and I thank you for them. It takes a little time to go through them, and I believe you will probably have some more conversation about that.

The other thing I'd like to say to you, Mr. Minister, we applaud you for your new section in terms of the appeal. But I think the point my colleague was trying to make is, if you're going to make a new section, that's great and good but it also should be fair. And I think that's what the member was trying to point out to you.

The new clause is good; we like it. But I think, we think, that you could go back and make it better. And the points you brought up, I believe, would also — I agree — would make it a little better.

With that, Mr. Minister, I'm through.

**Hon. Mr. Anguish:** — I want to add one thing. The other group that was consulted that would have many members in your particular constituency, the member from Souris-Cannington, is the small explorers and producers group. And they were also consulted with this particular Bill.

And I mean it sincerely. If they have concerns that they haven't expressed to date through the extensive consultations that the department has carried out in a very professional manner, then I'd be very interested in hearing about them.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

#### Clause 4

**Mr. D'Autremont:** — Thank you, Mr. Chairman. I would like to move an amendment to clause 4.

Amend clause 4 of the printed Bill by deleting the general words preceding clause (a) of subsection 14(1) as being enacted therein and substituting the following:

“14(1) On the oath of the Minister or any officer of the department authorized by the minister that there are reasonable and probable grounds to believe that an offence against this Act or the regulations has occurred, a justice of the peace or a judge of the Provincial Court of Saskatchewan may issue a warrant to the Minister or any officer of the department authorized by the Minister to (do so):”

**Hon. Mr. Anguish:** — Mr. Chairman, I’m wondering if the member has a copy of that amendment so we could have a look at it?

Mr. Chairman, in regard to this . . .

**The Chair:** — Order. We just want to review the amendment for a moment to determine whether it’s in order.

I find the amendment in order.

**Hon. Mr. Anguish:** — Well we have some difficulty in accepting the amendment, Mr. Chairman. For example, where it says “. . . probable grounds to believe that an offence against this Act or the regulations has occurred, . . .” The vast majority of the time when the department goes out it’s for a routine audit that’s accepted by the industry. I mean it’s been standard practice for 30 years.

And for us now to do a routine job and have to have a justice of the peace, through the Provincial Court of Saskatchewan, get a warrant issued, I mean the industry would wonder if we’d gone off the deep end and a bit goofy in terms of doing our regular job and all of sudden required to get a warrant for it from the justice of the peace or from a judge of the Provincial Court. We just don’t accept the amendment, Mr. Chairman.

Amendment negated on division.

Clause 4 agreed to.

Clauses 5 to 7 inclusive agreed to.

The committee agreed to report the Bill.

#### **Bill No. 76 — An Act to amend The Oil and Gas Conservation Act**

Clauses 1 to 7 inclusive agreed to.

The committee agreed to report the Bill.

**Mr. Britton:** — Mr. Chairman, before you allow the help to go, I’d like to thank them very much for helping us through this, this evening. Thanks a lot.

**Hon. Mr. Anguish:** — I too, Mr. Chairman, before we rise and report and ask for leave to sit again, would like to thank Bruce Wilson from the Department of Energy and Mines. I’m sure the members opposite and also the former minister of Energy and Mines of the previous administration would recognize the very capable officials that we have in the Department of Energy and Mines.

**The Chair:** — The Chair thanks the members, and the committee will now rise and report progress.

### **THIRD READINGS**

#### **Bill No. 34 — An Act to amend the SaskEnergy Act**

**Hon. Mr. Anguish:** — I move that the Bill be read now and passed under its title.

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

#### **Bill No. 44 — An Act respecting the Inspection of Gas Installations and Gas Equipment**

**Hon. Mr. Anguish:** — Mr. Speaker, I move the Bill be read now and passed under its title.

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

#### **Bill No. 45 — An Act respecting the Inspection of Electrical Equipment, Installations and Materials**

**Hon. Mr. Anguish:** — I move the Bill be read now and passed under its title.

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

#### **Bill No. 75 — An Act to amend The Freehold Oil and Gas Production Tax Act**

**Hon. Mr. Anguish:** — I move that the Bill be read now and passed under its title.

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

#### **Bill No. 76 — An Act to amend The Oil and Gas Conservation Act**

**Hon. Mr. Anguish:** — I move that the Bill be read now and passed under its title.

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

The Assembly adjourned at 6:43 p.m.