

The Assembly met at 1:30 p.m.

Prayers

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

**Mr. McPherson:** — Thank you, Mr. Speaker. I'd like to introduce to you and through you to the Legislative Assembly today, a couple of gentlemen from my area of the province, Mr. Brian Kiss, a councillor of the RM (rural municipality) of Bone Creek — he lives in the Morse constituency — and Mr. Darrell Bellefeuille of Shaunavon, a businessman in that community. And welcome them, please.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, I'd like to introduce to you and through you to members of the Legislative Assembly, seated in your gallery, Mr. Speaker, right at the top corner up in there, two gentlemen, Bill Stewart and Dave Lockyer of Merit Contractors Association.

Merit represents a number of Saskatchewan contractors who do primarily commercial and industrial work in Saskatchewan. They provide work for people in Saskatchewan and benefits and training opportunities for the member companies. And as such, Merit represents a fine example of an association that is working to ensure Saskatchewan companies and Saskatchewan workers can compete and win in today's rapidly changing market-places.

I congratulate Merit Contractors on the terrific work that they do and ask all members to join with me in welcoming them here this afternoon.

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

**Hon. Mr. Lingenfelter:** — Mr. Speaker, it's my pleasure to introduce to you and to members of the Assembly, 11 students from SIAST (Saskatchewan Institute of Applied Science and Technology). These students, who are seated in your gallery, are taking English as a second language program here in Regina, and I want to welcome them here today and let you know we'll be meeting with you shortly after question period.

I'm sure all members will want to join with me in welcoming them here today.

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

### STATEMENTS BY MEMBERS

**Mr. Martens:** — Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce this gentleman to the Assembly. The headline says this: "Illerbrun now top man in Saskatchewan Wildlife Federation." And just incidentally, he's probably a very close neighbour . . . or the family used to live down where Brian Kiss lives.

And I want to say that Greg Illerbrun has been an outstanding citizen of this province and now is the top man in the Saskatchewan Wildlife Federation. Illerbrun is a community in the south-west corner of my constituency and was named after that family quite a while back. And I want to say that it's a pleasure for me to acknowledge the work that Mr. Illerbrun has been doing in the south-west part of Saskatchewan.

Greg has been an active member of the Saskatchewan Wildlife Federation. He's been involved in developments in the south-west. He's been actively involved in providing habitat for the wildlife, both upland game and big game. And I just want to say that Greg has initiated a lot of these and has done a lot of that himself.

As a part of that, I just want to say that he is the second-youngest person to ever have been the president of the Wildlife Federation in Saskatchewan, and I want to acknowledge his work here as a part of the community that he represents and as a part of the community in my constituency that he represents as well.

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

**Mr. Johnson:** — Mr. Speaker, other members this week have spoken on Education Week and I want to report some specific activities that have taken place in the Turtleford constituency, activities which fit the statement, Home-School: Making the Connection.

Many schools have opened their doors to the public for participation in a variety of organized activities. For example, the Spiritwood High School with representatives from the alcohol and abuse branch of the Department of Health have organized a workshop for teens and parents.

Other schools in the constituency from K to 12 have a number of classroom displays and activities which highlight all segments of education: science, art, culture, physical education. All of these activities, Mr. Speaker, emphasize the importance of good communication between the home and the school. And I congratulate all of those who are making this Education Week a successful and relevant week.

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

**Mr. Kowalsky:** — Mr. Speaker, many Saskatchewan seniors have asked MLAs (Member of the Legislative Assembly) why chelation treatments are not available in Saskatchewan. People have spent thousands travelling out of province for the treatment. Many make positive claims for the treatment, but the overwhelming scientific information available at the moment is not supportive.

Neither MLAs nor the Department of Health promote any medical treatment that is not sanctioned by the College of Physicians and Surgeons. This restriction

must remain ironclad. At the moment, chelation treatment for heart-related conditions is not included in the schedule of any publicly funded health plan in Canada.

In my personal opinion, Mr. Speaker, the only way this or any treatment can be validated is through scientific study accepted by the accepted medical authorities.

But in response to the interest expressed by the public, qualified doctors in Saskatchewan have indicated to me their willingness to consider a two-year study if funding were available and if the ethics committee of the College of Medicine, University of Saskatchewan, sanctions such a study.

I have mentioned this to Mr. Dan Stewart of the chelation association of Saskatchewan, suggesting that they undertake a fund-raising drive in the private sector for this purpose. This collaborative approach will, I hope, achieve the scientific validation necessary for the use of, or for the dismissal of, this treatment.

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

**Mrs. Teichrob:** — Thank you, Mr. Speaker. I'd like to make everyone in the Assembly aware that March 7, Monday of this week, was Heritage Languages Recognition Day. I would like to extend my good wishes to the schools, community organizations, volunteers, students, teachers, and parents who are involved in the teaching and learning of languages.

I would also like to recognize the work carried out by the Saskatchewan Organization for Heritage Languages and its member organizations throughout the province, in promoting this day to recognize the linguistic skills of many Saskatchewan young people.

In an increasingly competitive international market-place, knowing another language and culture is an asset and can provide an advantage in our trading partnerships. This is also important today because as we are aware, this is Education Week. We need to encourage our students to learn languages and cultures. Heritage Languages Recognition Day is one way of promoting language learning.

Thank you.

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

**Hon. Mr. Cunningham:** — Thank you, Mr. Speaker. Mr. Speaker, I wish today to bring attention to an event that happened in my home town last weekend. Last weekend my home town of Lintlaw and the Lintlaw Recreation Centre sponsored this Lintlaw 75 poker derby snowmobile ride. It is so called because the snowmobile trail is 75 miles long, which I believe is slightly longer than what the member from Nipawin reported the other day.

Mr. Speaker, there were 664 snowmobiles entered, which a Canadian record for a poker derby. One

came from Red Deer, Alberta, probably fleeing Ralph Klein. Several were here from Manitoba, and riders came from all over Saskatchewan. The scenic trail through the Porcupine Forest Reserve goes through Big Valley and Cougar Canyon. As well there was a parade, dance, and a polar bear roping contest. A great time was had by all.

And the event also raised \$42,600 for the Lintlaw community hall building fund. The new hall is practically finished and much closer to being paid for now. Although it is already being used, the official opening will be some time this spring or summer.

I want to congratulate my home community of Lintlaw. I know everyone in the community worked with this. And as they say, hard work pays off. Mr. Speaker, this event and the new hall are testaments to the enduring spirit and strength of the Saskatchewan way, and I am proud today to be from Lintlaw, Saskatchewan. Thank you, Mr. Speaker.

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

**Mr. Sonntag:** — Thank you very much, Mr. Speaker. I'd like to inform the members of the Assembly today of the upcoming winter festival this weekend in Meadow Lake. The reason I raise it here today, Mr. Speaker, is because this year is special. It's our 25th annual winter festival.

The week-long event is a time when our community puts together a fantastic celebration in which all people can enjoy. The festival lets people experience the fun of the many great outdoor activities that we have. A brief overview of the much anticipated events includes snowmobile races, chuck-sled races, king and queen of the woods contests, and curling bonspiels. There are as well many indoor activities such as an arts and crafts show, a chili bake-off, a pancake breakfast, and performances put on daily by the high school drama club.

In addition to these events there will be activities aimed at the seniors. On Saturday night at the dance, the queen of the festival will be crowned. The winter festival president, Barry Lewis, is confident that this year's event will be even more successful than previous ones. One reason for this prediction is that new events have been added this year with the main purpose of getting youth involved.

The winter festival in Meadow Lake is a success because of the cooperation and dedication of the fine people of Meadow Lake and surrounding communities and the numerous organizations and workers who help the operation run smoothly. I urge all people of Saskatchewan to come to Meadow Lake and join with us in enjoying our 25th winter festival.

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

**Mr. Kluz:** — Thank you, Mr. Speaker. I would like the Assembly to join me in congratulating the Wadena Composite senior mixed curling team for winning the north-east Saskatchewan senior amateur curling

competition in Nipawin and going on to place a very respectable fourth in the provincial final.

This is the third consecutive year that the Wadena team has won the NESSAC district and gone on to represent their area in the provincial final. The team of Glorian Humenny, coach; Jodie Kucheran; Andrea Wallster; Kevin Leitch; and Kristal Anderson displayed confidence and maturity throughout the tournament. This year's trip to the provincials, held in Rosetown, proved to be a worthy task as the Wadena team held strong and played extremely well.

Placing fourth overall in the Saskatchewan provincials is a great achievement for any team. As we all know, the greatest curlers in the world come from this fair province. I would also like to point out the fact that this curling team is an example of the benefits a mix of athletics and education can produce.

This being Education Week in Saskatchewan, it is also important to recognize these athletes are very devoted students. Through positive programs such as this, a student gets a well-rounded education both mentally and physically. Again, I would like to congratulate the Wadena Composite School mixed curling team on their success.

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

## ORAL QUESTIONS

### Melfort Pipeline Project

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, my question is for the minister responsible for Sask Water and the Melfort pipeline débâcle. Mr. Minister, this morning I received a report from Merit Contractors Association about the mess your government has made of the pipeline project in Melfort. This is a very comprehensive study and the most comprehensive one I've seen, Mr. Minister, and it comes with three irrefutable conclusions.

One, that the project is millions of dollars over budget already and that the final costs will not be known until next spring when the portion of the project that Sask Water has been supervising finally is completed. Two, the project is at least six months behind schedule because the pipeline is incapable of transmitting pressurized water from Codette to Melfort. And three, that it is now clear that your union-only contracting experiment has been a catastrophic failure at the taxpayers' expense.

Mr. Minister, will you now admit that your government's handling of this project has been an abject failure and that your government should abandon its union-only tendering policy.

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

**Hon. Mr. Cunningham:** — Mr. Speaker, I'd like to thank the

...

**The Speaker:** — Order.

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker, to the member opposite. The Melfort pipeline — we don't know if it is over budget at this point. You have to understand that the Melfort pipeline had two contracts and then Sask Water did a portion. The contracts, of course, are paid out according to the contract. It's a \$21 million project and it has been delayed because of weather. I know some of the members opposite are farmers and I know that they had problems in completing their harvest this year. Construction of this sort, it's the same as farming. There's problems in construction, so it is behind schedule. There are leaks on the pipeline. The pipeline has not been tested in completion yet. As the weather warms up we will continue to test the pipeline and the good people of Melfort region will have water very soon.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Minister, I know that your government has made every effort to cover up the facts regarding this pipeline. In fact, it's become your government's version of Sask Water-gate, Mr. Minister. Mr. Minister, let's look at the difference between the portion of the pipeline built by Miazga Construction and the union portion that Sask Water has been supervising.

Miazga operated with two crews and approximately 18 people; Sask Water employed double the number of crews and four times the number of employees, and the labour costs that the unionized portion of the pipeline from Codette to Melfort . . . were about \$5.3 million — almost two and a half times the original budgeted amount of 2.2 million.

Mr. Minister, will you confirm that the labour costs on the portion of the pipeline built and supervised by Sask Water are already more than \$3 million over budget and a section of the pipeline has yet to be completed?

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

**Hon. Mr. Renaud:** — As I mentioned to the member earlier, Mr. Speaker, we are not completed the project and so I can't give him those figures if indeed we are over budget on the Sask Water portion of the line.

What I want to say though, Mr. Speaker, is unlike Rafferty, where the cost was to be \$120 million or the expected cost, and it ended up \$2.2 million, Mr. Speaker, this is not going to happen on the water line at Melfort.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Minister, let's look at the job that was done with the extra \$3 million spent on labour. The section of the pipeline that was built by Miazga was completed in November, pressure testing was done, a few minor leaks were found and they were repaired almost immediately.

The Sask Water portion of the pipeline was tested with unpressurized water at about the same time and over 50 leaks were reported, Mr. Minister. That's not a pipeline, Mr. Minister, that's a sprinkler system.

Mr. Minister, we have spoken to people who believe that the leaky portion of the pipeline, it may even be unfixable, that Sask Water may have to just abandon it completely and build a complete new pipeline, Mr. Minister.

Mr. Minister, is that a real possibility? And how many more dollars will be wasted on your Sask Water-gate sprinkler project before it is finally completed?

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

**Hon. Mr. Renaud:** — Thank you to the member for his question. I want to tell the member again that the line is not complete, the testing has not been completed on neither the Miazga side or the Sask Water side.

When we closed down the testing of the pipeline, Mr. Speaker, because of the extremely cold weather, there was 11 leaks that had to be repaired. And the member knows that it's far more expensive to repair a leak in the wintertime when the ground is frozen than in the summertime. And we intend to start the testing as soon as the weather is warm enough, and that should be in the next few weeks, Mr. Speaker.

And I wonder why the party over there likes to play politics on the backs of the people in the Melfort region and make light of the 82 jobs that this project created and the amount of people that are going to receive good quality and quantity of water.

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

**Mr. Boyd:** — Thank you, Mr. Minister. Mr. Speaker, Mr. Minister, this is really a shining example of how well your union-only tendering policy is working. We have on one half of the project built by private enterprise — it's completed, it's on budget, and it doesn't leak. We have on the other half where Sask Water oversaw construction — it's not finished, it's millions of dollars over budget, and it's irrigating the farm land instead of delivering water from Codette to Melfort.

Mr. Minister, I haven't seen a more glaring example of the differences between privately run and state run enterprises since the Berlin wall came down. Mr. Minister, it's my understanding that a complete review of . . .

**The Speaker:** — Order, order. Order. Will the members on both sides please settle down. There's just too much interference when the answers are given and there's too much interference when the question is asked. This is supposed to be question and answer and I wish members would abide by the rules. Would the member put his question, please.

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Minister,

it's my understanding that a complete review of the entire project is now under way to tell you what you should do next. Mr. Minister, will you release the results of that review or are we going to have to wait for the information to leak out like the water out of the pipeline?

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

**Hon. Mr. Renaud:** — To the member opposite, there is no review. To the member opposite, we intend to continue with the testing of the pipeline as soon as the weather allows us. A project with union workers and non-union workers side by side to give a rural community better quality of water, and the people over there are arguing about that and are fighting about that — 82 jobs, 9,000 households affected. And these people say no.

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

### Effects of Gaming Expansion

**Mr. Neudorf:** — Thank you very much, Mr. Speaker. Mr. Speaker, today we learned that the Saskatoon chief of police, Owen Maguire, has expressed real concern over the likely increase in crime as a result of the provincial government's unilateral decision to implement casino gambling.

A study conducted by the city of Windsor, Ontario, has shown that traffic congestion, vehicle break-ins, prostitution, racketeering, and child neglect have all increased as a result of introduction of casino gambling in the major cities of North America, Mr. Speaker. Chief Maguire sees this as a potential problem for Saskatoon. It's disturbing to say the least that these kinds of activities will increase, but it's also ironic in the Year of the Family and the government opposite just having introduced a Bill to address the problems we already have with the victims of violent crime.

And so, Mr. Speaker, my question is to the minister responsible for Gaming. Mr. Minister, can you tell us whether your government had anticipated this increase in crime? And can you tell us what your government has planned to mitigate this real and distressing concern?

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

**Hon. Mr. Lautermilch:** — Thank you, Mr. Speaker. In answer to the member's question let me first say to him that he may or may not be aware but the fact is that the Windsor casino is not open at this point. We are told by the people in Manitoba that there is no appreciable increase in the type of crime that is referred to in this particular article.

But let me say this, Mr. Speaker. We will do . . . and treat this not unlike we would treat other issues that are brought before the Department of Justice. If there's an increase in automobile accidents that put an increased pressure on the law enforcement agencies, that is dealt with in this budgetary process. If there is

an increase in terms of inner-city crime, that too is dealt with within the budgetary process of the Department of Justice.

And I would suggest that through this process, any problems that would arise or may arise from any situation, whether it be the impact from casino development or other issues, it will be dealt with in an appropriate and in a proper fashion.

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

**Mr. Neudorf:** — Thank you, Mr. Speaker. Well, Mr. Minister, you can poke fun at Mr. Maguire if you want, and you do that at your own risk. This year Saskatoon Police Service information booklet contains an item that outlines their concerns over this issue. It says, and I quote: “(there are) . . . a number of associated problems that must be addressed and dealt with by police”, and those are:

1. Increase in street crime activity;
2. Crimes committed by casino patrons; and
3. Organized crime activity.

The Saskatoon report says that every division, section, unit, and detail of the Saskatoon Police Service will be affected, not just the patrol section.

Mr. Minister, I believe the chief is concerned for the people of Saskatoon and I believe that he is concerned for the men and women who are responsible for the protection of those people.

It is my understanding, Mr. Minister, that you will be meeting with the Saskatoon Police Service on Monday. What will your position be, Mr. Minister, with their request to have part of the profits of gambling to go towards protecting Saskatchewan citizens? Will you consider their solution to a problem that your government is about to create?

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

**Hon. Mr. Lautermilch:** — Mr. Speaker, to answer the member's question, let me first say this. He is correct in that we have been and will continue to meet with law enforcement officials throughout this province. We think that it's important that we work together to create an environment that Saskatchewan people would be . . . feel secure and be proud to live in.

But let me say this, Mr. Speaker. Part of our casino policy — and I want to reconfirm this with the members opposite, all of them, both the Liberals and the Conservatives — is that we will be expanding casino development to keep Saskatchewan dollars in Saskatchewan and to create employment opportunities for people who right now are unemployed, those, our first nations and our aboriginal people.

So I say to the member from Rosthern, we will be diligent in ensuring that our residents are protected.

And I want to know and I ask you, do you stand with the member from Greystone in opposition to the aboriginal jobs in this province, or do you support the aboriginal people of Saskatchewan as this government does?

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

**Mr. Neudorf:** — Mr. Speaker, Mr. Minister, I'm sure that the concerns that the chief of police of Saskatoon has are also echoed by the chief of police in Regina and, I might add, the RCMP (Royal Canadian Mounted Police) as well, who are also concerned about this issue.

It's a question of protection, Mr. Minister. The last thing the people in Saskatchewan want is an increase in crime to go along with their increase in taxes. And at a time when there appears to be a need for more policing, your offloading and your revenue grabs have put a severe strain on the city police budget.

Alberta and Manitoba have set up special forces to watch over gambling in their provinces, Mr. Minister. Chief Maguire says that these forces are run off their feet. Now that's a sobering thought, Mr. Minister. Mr. Minister, if you do not support the concept of gambling booty being used for protection and crime prevention, how do you intend to address these problems and what have you got planned? Answer that question.

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

**Hon. Mr. Lautermilch:** — Well, Mr. Speaker, I would want to say to the member opposite that it's pretty clear his position with respect to the jobs that this industry will create is that he opposes them as does the member from Greystone. But that's not inconsistent, Mr. Speaker, with Liberals and Tories because they generally sit on the same fence and they generally fall off on the same side.

Let me say this, Mr. Speaker: I've indicated that we have met and will continue to meet with the RCMP and other police services in Saskatchewan. We will deal with problems as we have done. The budgetary process will deal in an adequate way with delivering the amount of financial remuneration that is necessary to deal with problems that arise.

I say to the member opposite that the meetings that we will have in the future will deal with these issues in a very appropriate and a proper fashion. But I say to you, do you support the jobs, or do you support the out-migration of Saskatchewan dollars to Winnipeg, to the Conservative government in Winnipeg, for them to deal with social issues in their province.

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

**Mr. Neudorf:** — Thank you, Mr. Speaker. The population knows where I stand on this issue and the opposition stand on this issue. We want to know where your people stand. And I direct my question to the Premier now. Mr. Premier, your counterpart in

B.C. (British Columbia), NDP (New Democratic Party) Premier Mike Harcourt, has announced that he is strongly considering holding a referendum on casino gambling. Now that's a novel idea, Mr. Premier — letting the public vote on matters that affect them.

Mr. Premier, we all know what you do with plebiscites in this province — you simply ignore them. So I would say that there's no chance that you're going to consider this ultimate form of consultation, Mr. Premier, as B.C. is doing.

However, we are still hopeful that you will at least allow MLAs, most of them who are members of your own party, to hold a free vote on a matter which is going to have such a profound effect on this province.

Mr. Premier, given that B.C. is considering going so far as to consider holding a referendum, will you at least hold a free vote in this legislature so that all of the MLAs in here have the right to express the wishes of their constituents. Will you do that, Mr. Premier?

**Hon. Mr. Lautermilch:** — Mr. Speaker, to answer the member's question, let me begin by saying this. That the people of Saskatchewan had the opportunity to vote on the actions of the Conservative government from 1986 to 1991 when they squandered tens and hundreds of millions of Saskatchewan taxpayers' dollars. I would suggest that it may be appropriate for that member to stand in his place and to talk about free votes.

Mr. Speaker, the people of this province are voting by virtue of the fact that 86 per cent of them involve themselves in gaming activities. What we are trying to do is stem the flow and the out-migration of taxpayers' dollars from this province, create job opportunities for first nations and Metis people in Saskatchewan.

That's the position of this government, Mr. Speaker, and I say that the member's questions have little credibility coming . . .

**The Speaker:** — Order, order, order. Order.

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

**The Speaker:** — I think members know full well we can't have three or four people on their feet at the same time.

### Government Contracting Policy

**Mr. McPherson:** — Thank you, Mr. Speaker. We in the Liberal Party are gratified by the public's interest in direct input into question period. Today I have a few questions to ask the Minister of Labour.

I'll ask them on behalf of Mr. Gary Richardson of Richardson's Plumbing & Heating and Gary is sitting in the gallery today, Mr. Speaker.

**The Speaker:** — Order, order. Order. The member I think should be experienced enough to know that he cannot refer to people in the galleries when he's

asking his question.

**Mr. McPherson:** — Mr. Speaker, Mr. Richardson runs a unionized shop in Regina. In 1992 the government allowed double-breasting . . . disallowed double-breasting which means contractors can't run both union and non-union shops. Instead there is a union-only policy for publicly funded contracts over a certain dollar amount.

The question from Mr. Richardson is, and I quote: my company has recently lost \$10 million worth of tenders to non-union contractors on publicly funded work. When is your government going to make good on its promise and use unionized contractors on these projects? And would you please clearly define the rules.

**Hon. Mr. Shillington:** — Mr. Speaker, unlike members opposite — it's becoming awfully difficult to tell the difference over there — unlike members opposite, we have sought not to divide and conquer but to achieve a degree of harmony within the industry. We have sought to divide in some fair and even fashion the contracts between union and non-union.

And I may say to the members opposite who seem to share a similar view on these matters, that we have achieved some degree of balance with respect to the dollar amounts. We've achieved I think a lesser degree of a balance when one takes the number of contracts. But when you take the number of dollars spent we have achieved a reasonable degree of satisfaction, a reasonable degree of balance.

So I say to members opposite who are continually attempting to set union as against non-union while we are trying to build a degree of harmony in the industry, that we've achieved I think a reasonable degree of that.

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

**Mr. McPherson:** — Mr. Speaker, it is obvious that the government's inconsistencies in its labour policies are creating havoc with the province's contractors, both union and non-union.

You make allowances for an out-of-province unionized company to lay water pipeline near Melfort, which cost a local non-union contractor the job and taxpayers of Saskatchewan \$187,000. Then the contractor goes belly-up and leaves Melfort businesses holding the bag.

Mr. Minister, Mr. Richardson says the following: I've been forced into a corner by your laws. When my company doesn't land contracts, my unionized employees are allowed to find work with non-union contractors which I'm bidding against. On the other hand, when I bid these jobs I must bid using the higher salaries of union workers. This has put the viability of my company, along with many others, at risk.

He asks: will you allow union companies the

opportunity to run their companies in a fashion which allows them to compete on level ground?

**Hon. Mr. Shillington:** — Thank you very much. I might say, if the hon. member decides to move yet again to the right to get a new caucus, it won't be a very far jump. Because these questions are starting to sound a great deal alike.

Members opposite, members opposite set union against non-union. It was their policy to divide and conquer in government, as in opposition, apparently. One of the reasons perhaps why you've achieved such astounding success in recent elections is you haven't learned very much in opposition.

I say to members opposite, the problem in the construction industry is that there isn't nearly enough work to go around. This is an industry operating at a way below full capacity. We have sought to divide the work evenly between the two of them, unlike members opposite who seek to divide and conquer. That's not the policy of this government. And it is interesting to see the statement from members opposite, which sound a great deal like the members to your right.

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

**Mr. McPherson:** — Mr. Speaker, it isn't a case of divide and conquer. We have a man who is asking questions and he wants . . .

**The Speaker:** — Order, order. Will the member from Cut Knife-Lloydminster please come to order. She can't just simply interfere when the member is trying to ask his question.

**Mr. McPherson:** — Thank you, Mr. Speaker. Mr. Richardson's letter, which all members did receive a copy of, goes on to say:

It is becoming more obvious with each passing day that we may have to go to non-union ourselves in order to survive. This has been made almost impossible, however, by changes to the pertinent legislation introduced by the current government.

Please understand this is not an anti-union position (he stresses). It is merely a statement of the facts as they exist in the industry today, facts which we feel the government is not fully aware of.

Mr. Minister, Mr. Richardson wants to be treated fairly. He may be forced to shut his . . .

**The Speaker:** — Order, order. Does the member have a question? Order. Will the member please put his question.

**Mr. McPherson:** — Mr. Minister, will you provide, in writing, to Mr. Richardson and the public, a copy of your policy regarding union and non-union contractors, in order to clear up this confusion?

**Hon. Mr. Shillington:** — Mr. Speaker, my office answers all of the correspondence which comes to my office. And if Mr. Richardson has written me — and I believe I have received a copy of his letter — he will have received a detailed and proper response, as happens with everybody that corresponds with my office.

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

### **Brand Inspection Fees**

**Hon. Mr. Cunningham:** — Thank you, Mr. Speaker. I do have a reason for being on my feet. I want to answer a question that the Minister of Highways took notice on, on my behalf some time ago.

Mr. Speaker, the question was by the member from Morse regarding the duplication of brand inspection fees on Saskatchewan cattle going into Alberta. Mr. Speaker, there currently exists at seven Alberta livestock markets along the border, agreements where Saskatchewan producers can market their livestock without duplicate payment of brand inspection fees. At these locations Saskatchewan has agreed to forgo the marketing deduction check-off and Alberta has agreed to collect them, and return the horn penalty, and a portion of the inspection fee, and all of the Saskatchewan livestock manifests.

Saskatchewan is taking a lead role to expand the agreement to allow Saskatchewan livestock to be marketed directly to Alberta packing plants without being subjected to the brand inspection fees of both provinces. Saskatchewan is prepared to forgo the collection of brand inspection fees in order to eliminate an interprovincial agriculture trade barrier in the movement of cattle.

Thank you, Mr. Speaker.

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

### **MINISTERIAL STATEMENTS**

#### **Environmental Assessment Act**

**Hon. Mr. Wiens:** — Thank you, Mr. Speaker. Today I'm announcing this government's commitment to introduce a new environmental assessment Act during this session, and a public consultation process to finalize the regulations which are vital to the proper functioning of this legislation. The legislation and regulations together will implement the first major reform of Saskatchewan's environmental assessment process since the government of Allan Blakeney introduced Saskatchewan's Environmental Assessment Act, 14 years ago.

The fundamental principle of environmental assessment is the public's right to know and its right to comment on proposed developments which impact on our environment.

Mr. Speaker, when the first environmental impact

assessment legislation was introduced to this House and passed in 1980, it was among the strongest and most progressive in Canada. In the ensuing years the lack of regulations and an inconsistency in the administration of the Act have given rise to legal challenges and public concern. It is time to reform the environmental assessment process.

This reformed environmental assessment process will provide increased opportunity for people to participate in environmental decision making. Increased public accountability is the main feature of these reforms. The new Act and accompanying regulations will also ensure consistency in the application of environmental assessment to projects, facilitate public involvement, and improve monitoring and enforcement of compliance.

Today I am releasing a document which describes the important reforms we plan to make to the environmental assessment process. Later in this session, I will introduce a new Act to implement these reforms. At the same time, an outline of proposed regulations will be released for public consultation.

The key aspects of the environmental assessment reform proposals are: increased public notification and involvement — this will ensure the public is made aware of proposed developments in their area at an early stage, that they have an opportunity to provide their input into the assessment before decisions are made — clearer definitions and procedures for the review of all environmentally-significant projects proposed in Saskatchewan; a more objective and publicly visible approach is proposed. Lists set in regulations will identify projects likely to have an impact on the environment. Such lists will ensure these projects do not bypass the system.

A government-based assessment process. These reforms will ensure that the principles of openness and accountability are reflected in their administration by the government. The Act continues to allow for the creation of independent panels. The government is committed to appointing independent panels where large-scale, controversial projects warrant it.

Cabinet will review government policies and programs for environmental implication. Improved intergovernmental cooperation on assessments — the proposals include the ability to improve cooperation and harmonization with federal and provincial governments; reasonable time lines for activities and decisions. Time lines will allow proponents to plan for important milestones.

Mr. Speaker, sound processes for environmental impact assessment are an essential component of this government's commitment to environmental protection and sustainable development. Thank you, Mr. Speaker.

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

**Mr. D'Autremont:** — Thank you, Mr. Speaker. Mr.

Speaker, we look forward to this new legislation because I think it's going to be an interesting experience for the people of Saskatchewan to view how this particular government views the environment. One of the items that has come forward, Mr. Speaker, is that the government has put into place the Standing Committee on the Environment. This legislature initiated that committee two years ago. But, Mr. Speaker, nowhere does the government, in this piece of legislation that they intend to introduce, have a place for the Standing Committee on the Environment to play a role.

They talk about public consultations, Mr. Minister, which are not being done by an independent body but rather are being done by the government.

Mr. Speaker, I would put forward the contention that while the government is going to go out and consult, the government is not going to hear and not going to listen to what the people have to say; rather they are going to give the impression that there is consultation when in fact, Mr. Speaker, there is none whatsoever.

At the news conference that the minister held earlier today, the minister talked about stating the old Act allowed too much government discretion. Well, Mr. Speaker, I don't believe that there is going to be any significant changes in this legislation to take away the government's discretion. In fact, it gives more power to the minister. It makes the minister's decisions infallible. The minister will be omnipotent; the people will be unable to question his decisions, Mr. Speaker.

There are some good things that could come forward in this legislation and consultation is one of those things that need to be done, but the government must listen as well as visit with the people. Mr. Speaker, we look forward to this piece of legislation. I think it will be of great interest to the people of this province. Thank you.

(1415)

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. We too, as would the people of Saskatchewan, welcome much clearer guidelines as far as environmental assessment are concerned, but one of the things that we would most welcome would be the opportunity for public input. We see that as crucial and I think that the people do know their communities and their regions best.

A case in point — the ranchers in the south-west part of the province. Intergenerationally they have protected their lands for well over a hundred years, some families have, and could indeed educate some of the people for the Department of the Environment who would come to give them advice.

Similarly, we are finding that some of the policies from the Department of the Environment are really putting people out of business in rural Saskatchewan and I don't think that there was any understanding of the implications of some of the policies that were taken and how strongly this would affect people being able

to stay in business and pay taxes and even sell some of their businesses, if possible. And that has really had a lot of people being very concerned.

I think that we not only need to have greater input from people, but there needs to be far more interdepartmental work done, and that your department should be included, and each and every other department, particularly as far as the Department of Economic Diversification is concerned, and others.

And finally, we too would like to say that we look forward to looking at the fine details of what you will be bringing forward.

#### ORDERS OF THE DAY

#### GOVERNMENT ORDERS

#### SECOND READINGS

##### Bill No. 5 — An Act to establish the Tourism Authority

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I want to thank you, and to members, on being able to give second reading to a Bill to establish The Tourism Authority Act.

Mr. Speaker, this is historic legislation; a turning point in the whole concept of tourism development in the province of Saskatchewan. I'd like to start out by outlining how tourism is a key component to the total economic picture and not just for the obvious and long-time accepted reasons.

Tourism is one of the six strategic sectors within our economic development strategy. It is a sector which can make a substantial contribution to the *Partnership for Renewal* economic strategy and the goals which include: one, restoring employment growth and adding a total of 30,000 new jobs to the economy by the year 2000; closing the gap between average income for farm families and average income for other Saskatchewan families by the year 2000; third, balancing the provincial budget by 1996; fourth, returning the economy to a period of sustained real growth; and fifth, decreasing our reliance on traditional products and services that Saskatchewan has known.

Mr. Speaker, tourism is making significant impact on each and every one of those goals. The industry already accounts for over 4 per cent of our province's GDP (gross domestic product) and is our sixth-largest export after grains, oils, total manufactured goods, potash, and uranium.

Total tourism receipts in 1992 were estimated to total over \$850 million with an industry employing more than 38,000 people full and part time. Mr. Speaker, over 8 per cent of Saskatchewan's employed labour force is employed in tourism in one way or another. And it's truly a provincial-wide industry. Every area of our province has tourism potential and every area can

benefit from developing that potential. There are 4,700 tourism-related businesses in the province not including major service suppliers such as restaurants, fuel outlets and taxis. You'll find them creating jobs and economic opportunities in small communities and large communities and rural, in northern Saskatchewan and in every corner of our province.

Tourism is part of the fastest growing, high value added sectors in the province. It has great potential for even more growth and more job creation. The tourism industry is service oriented and thus is a key component to the successful renewal of the economy of our province.

Mr. Speaker, tourism also contributes to Saskatchewan's attractiveness as a place to live and to do business, by providing most of the amenities that add to the quality of living in our province. It is often tourism attractions that are seen as benefits to living here. The creation of cultural facilities, the attraction events that are part of tourism, add to the attractiveness of our communities and assist them in attracting business as well as tourism.

And, Mr. Speaker, the people who manage and staff those facilities, attractions, and events have the potential to play a big role as ambassadors in promoting our province to visitors by telling them about our many competitive advantages.

An additional plus is that tourism is a relatively environmentally friendly industry, and has the potential for sustainable growth without negative impact sometimes experienced in other industrial sectors.

As a government, Mr. Speaker, we would like to see the tourism industry grow from its current level. That is why one of the 31 initiatives in the *Partnership for Renewal* strategy is to expand tourism marketing and development through new partnerships. And that is why we established the task force on tourism partnership in April of 1993.

Mr. Speaker, hotels and campgrounds come readily to mind when people think of tourism, but tourism is much broader than that. Tourism dollars go into many areas including accommodation, transportation, food and beverage, retail, recreation, and entertainment.

It is important that each of these groups — that they receive benefits from tourism expenditures — participate in the decision-making process. It is for that reason that the task force included representatives, not only from those businesses and organizations traditionally considered to be part of the tourism industry, but from other equally important partners who haven't traditionally been included such as arts, culture and aboriginal groups.

Since partners contribute to the investment in tourism, the establishment of a structure within industry will be important to make decisions in tourism in the future. The establishment of an Authority with the ability to earn, to retain, and direct revenues back to tourism to

build on the public sector investment will allow Saskatchewan to more effectively compete with the rest of Canada and with the rest of the North American tourism industry.

Fiscal realities indicate that there will not be funding increases from the public sector. And in order for the tourism industry to reach its potential growth and expand, we must find other alternatives for increasing the level of tourism activities.

Tourism is part of the recognized solution to economic renewal. The industry's growth will be restricted without joint investment. We must combine our resources in the best possible way through a partnership process.

Mr. Speaker, first, tourism is a very competitive industry and not just within the provincial and national boundaries, but within the scope of the global economy. Secondly, although this province has limited fiscal resources to stack up against our competitors with larger budgets, we must strive to be competitive in our own marketing efforts. And third, we have reason to be proud of the quality products and services we provide and the effective marketing we have undertaken. In order to be competitive and expand the new markets, industry partners are recognizing that they must share in that investment.

Mr. Speaker, a primary focus of the task force was to determine new approaches to financing industry-marketing and development efforts. The second focus of the task force was to examine appropriate functions for both industry and government. Finally, once funding mechanisms and functions of partners were determined, the task force members had to recommend a structure that best suited this province.

Other models from other jurisdictions were examined by the task force. And I'm pleased to say, Mr. Speaker, that after careful consideration they have arrived at a made-in-Saskatchewan solution.

Mr. Speaker, I would like to point this out, that thanks to all of the task force work and the working-group members who have dedicated their time and energy, we have come forward with a proposal for a Tourism Authority. The members of the task force are very busy business people and community leaders who are giving freely of their time and expertise for the well-being of Saskatchewan. I want to commend them and thank them for the tremendous commitment they have made in this process and that they will be making to the process in the future.

The Tourism Authority Act is the result of their recommendation, based on an industry input through a consultation process and the task force-considered judgement on what will be best for the tourism industry in the balance of the 1990s and beyond.

Now, Mr. Speaker, I want to list out what the major recommendations of the task force are. First, that a Saskatchewan Tourism Authority be established at

arm's length from the government through its own Act of the legislature.

Secondly, that the Authority be governed by a large, representative council with designated representatives and a small board of directors whose seats would also be designated.

Third, that the Authority be accountable to both the government and the industry, with the industry selecting the representatives for the majority of the seats on both the council and the board. The intent for the council is also to allow for the broadest possible representation from the tourism industry to be involved and a smaller, efficient, and effective board.

Fourth, Mr. Speaker, that the Tourism Authority be accountable for (a) tourism marketing; (b) for visitor information and services; (c) education and training; (d) support for the tourism public awareness; and (e) tourism research and policy. As well, they will be responsible for tourism destination area planning and development, and finally, tourism grant funding program administration except where capital funding projects are involved.

Fifth, Mr. Speaker, that the resources be retained within the executive government to deal with capital projects, as I mentioned, public policy matters affecting tourism, and interdepartmental and interjurisdictional liaison.

Sixth, that the Saskatchewan Tourism Authority be financed by government in partnership with the industry.

Seven, that in recognition of the principle of building on existing strengths, the task force acknowledges the contribution of the tourism division staff and the tourism industry staff and the effort that has been taken by the Authority to ensure continuity and the excellence in the delivery of tourism programs.

Eight, that the creation of the Authority occur in a staged and orderly fashion with legislation introduced in the spring of 1994 and with the authority becoming operational no later than October of this year.

Those recommendations are the basis of the Bill, Mr. Speaker, as members will see when they go through the clause-by-clause examination.

It's with these comments in mind, Mr. Speaker, that I am proud to announce today and move second reading of The Tourism Authority Act, and I'm sure that members will want to give this Bill speedy consideration and passage so that the benefits can come into effect. Thank you, Mr. Speaker.

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

**Mr. Toth:** — Thank you, Mr. Deputy Speaker. Mr. Speaker, I was listening to the minister making his comments regarding the establishment of The Tourism Authority Act and the implementation of the Act. There's no doubt, Mr. Speaker, that tourism has

become a major economic engine in our economy. And certainly the government of the '80s recognized that fact and a lot of endeavours were done and entered into at that time, Mr. Deputy Speaker, to enhance the role of tourism and to try and draw . . . encourage people not just to fly through our province or fly over our province or drive straight through, but to indeed take the time to stop and look at all the activities and the opportunities and the heritage that we as a province enjoy.

Mr. Deputy Speaker, we certainly can see throughout our province how many individuals have picked up on that note and have established ways and means of trying to attract men and women and families who happen to be travelling through our province; encouraging them to stop and take advantage of the heritage we have, and certainly the resource sector — our parks and renewable resources, Mr. Speaker. There's so much that we can offer.

I think of people in my constituency and people around the province who have opened up their homes, built bed and breakfast sites. And I've talked to a few people that have been passing through the Moosomin area who have taken the time to stop and were actually really impressed and really thrilled with the service they received, the hospitality of the individuals, and took the time not just to spend just a night at a bed and breakfast site, but even as they stopped at one location and then drove a little bit and looked at the communities, maybe went out to a part which was not necessarily right on the main drag and which they would have missed if they wouldn't have happened to stop, Mr. Deputy Speaker.

(1430)

So it's certainly important that we take a serious look at designing ways in which we can encourage Saskatchewan residents and individuals to become a part of our tourism industry.

And if we're going to attract people to stop, Mr. Speaker, whether they stop for a bite to eat, whether they stop at a hotel, one of the most important components is to show some real hospitality — real, genuine Saskatchewan hospitality.

And I think another area as we've seen in the Moosomin area, offer them a piece of saskatoon berry pie. And certainly when someone who hasn't been in the province has a piece of pie and coffee as the Gateway RDC (rural development corporation) did, you certainly hear a lot of people commenting about the fact. And they were glad they stopped and just took a moment to find out what, in this case, Moosomin had to offer and what there was in the area. And I think any other MLA from this province could certainly talk about their area and the advantages that we have and offer in tourism.

Mr. Deputy Speaker, the minister talked about a number of initiatives: the establishment of a Tourism Authority be represented by a large council responsible to government and the industry. And I

think these are all excellent.

I think it's very important that we include businesses and resources from the tourism industry on this council so that we have as broad a perspective that we can attain and achieve, indeed so that we're all working together to sell our province and to build upon tourism which happens to be one of the growing industries in this province.

Mr. Deputy Speaker, in order to allow us to take a more in-depth review of the Bill, I therefore at this time move adjournment of debate.

Debate adjourned.

### **Bill No. 30 — An Act respecting Victims of Domestic Violence**

**Hon. Mr. Mitchell:** — Mr. Speaker, at the conclusion of my remarks this afternoon, I'll be moving second reading of An Act respecting Victims of Domestic Violence.

Some members of the House will know that for a year and a half of my life I was involved in the land claim of the Inuit people of the central and eastern Arctic. And in connection with that claim I spent several months in the Arctic, living among the Inuit people and discussing with them their land claim which had a very large and significant cultural component.

One of the things I came to respect about the Inuit people was the legends that they passed orally from generation to generation; legends going back hundreds, even thousands of years. And one that I listened to while I was in the Arctic and which I have found in a publication, is "The Legend of Thunder and Lightning".

And I want to relate that legend to you, Mr. Speaker, and through you to members of the Legislative Assembly, to provide a context in which to discuss the contents of the Bill that is before the House this afternoon.

There were two sisters and they were tired of being abused. They wanted to get away from their father and husbands so they walked northwards. They walked a long way towards the mountains. They killed a caribou by drowning it in a lake. They found a dead whale on a beach and were able to eat it and use the fat for their lamps. They built fox traps out of stones . . . They were able to survive very well but they kept on walking further away. The younger sister kept asking her older sister, "Sister, sister, what should we become? Should we become caribou?"

"No", said the older sister. "We would still be scared if we were caribou."

"Sister, sister, should we become seals?"

"No. A seal is afraid of people too."

“Sister, sister, should we become walrus?”

“No. We would be hunted and we would be scared again.”

“Sister, sister, should we become polar bears?”

“No. Polar bears are killed too.”

The sisters continued to talk in this way until there was a terrible storm, and then the younger sister asked, “Sister, sister, can we become thunder and lightning?”

“Yes!” said the sister. “Thunder and lightning are not afraid of people.”

And so the older sister dragged a dried seal skin over the ground and made the sound of rumbling thunder. She struck two flint stones together and made lights. The spirits of the sisters rose and joined the thunder and lightning in the sky. Everywhere Inuit go they are in fear of thunder and lightning.

Mr. Speaker, that is “The Legend of Thunder and Lightning” as told by the Inuit people to their children and to their grandchildren over countless centuries.

One can easily see from that legend the terror, the total terror of the two sisters as they ran from an abusive husband and an abusive father. They ran, Mr. Speaker, in very, very difficult and very risky circumstances that you encounter in the Arctic. And they found food where they could from the land. And all the time they kept running, and they kept running in terror.

And their problem was how to feel safe. Their problem was how to feel safe. And they decided they couldn't be safe becoming a caribou, and they couldn't be safe becoming a seal. They couldn't even be safe becoming a walrus which has very few natural enemies; indeed they couldn't even be safe becoming a polar bear which has no natural enemies. The only safety they could see was to become thunder and lightning. Now Inuit women knew that, hundreds, even thousands of years ago.

In our society we have come very slowly and much, much later to that same recognition. To the recognition that there are women living in our society who live in fear, who can't find safety, who can't find security, who cry out for help to make them safe and secure, and we have been so slow in responding — to our great shame. Now we are making progress, Mr. Speaker. Our culture with its male orientation, and its male understanding of problems, have slowly been coming to the recognition that there is a serious problem here around domestic abuse, particularly the abuse of women and children, and it is time that we did something about it.

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

**Hon. Mr. Mitchell:** — Now some people will argue with some validity that we have been doing things about it and those things have been significant. I just mention them in passing. We have been focusing on the offender. We have come to the clear understanding, first of all, that domestic abuse is a crime. It's not something that happens within families that is kind of okay, and we can kind of ignore it, and kind of turn our back to it, and really they'll work it out between them. It's not a problem between a husband and a wife. It's not a problem between parents and children. It is a problem for society, a kind of behaviour which not only offends the victim but which offends society to the point where the state says: that is a crime and people who commit that crime must answer for it.

That we have done for a long time in the words of the law, and for a relatively short time in terms of enforcing the law, but it is something we're doing. And that's an important thing to do.

We have also been providing an increasingly wide range of services to support the family and to support families in stress and family members at risk. And we know what those are, Mr. Speaker — the transition houses, the various crises services, the various social support services that are available in our society. And we have been doing better and better at that, and that is to our credit.

But we're a long way short of thunder and lightning. We're a long way short even of being a polar bear. We are a long way short of providing the kind of support that women and children need when they're faced with the threat of physical violence. We're a long way short of providing them the security and the safety that they need in order to live decent lives.

This Bill is an attempt to move beyond to a new stage in this country, a new stage in our progress towards a safe and secure future for members of families in our society. I'm going to be describing the particulars of this Bill in just a few moments, Mr. Speaker.

Before I do that, I just want to set the current stage by referring the House to a number of statistics that we have gathered in our research in the preparation of this Bill.

Let me cite some of them, Mr. Speaker, and if you haven't heard them before then be prepared to be horrified. Over one-half of all adult women in Canada have experienced violence since the age of 16. Over one-half of all adult women — at least 5 million adult women — have experienced violence. One in ten women have been assaulted within the last year. That's more than one million women in Canada have been assaulted within the last year.

One in four women have experienced violence in a marital relationship. More than one in ten women who reported violence in their current marital relationship have at some point felt their life was in danger — one in ten. Almost one-half of all women have experienced violence by men they know —

boyfriends, spouses, friends, and family. And almost 40 per cent of women in violent marriages reported that their children witnessed the violence against them. Their children were witnesses to the violence.

Those, Mr. Speaker, are horrifying statistics by any measure and our society has much to feel badly about, guilty about when they look at those statistics and realize that they are a fact of life for women in this country.

I have in my hand, Mr. Speaker, the final report of the Canadian Panel on Violence Against Women. It is entitled *Changing the Landscape, Ending Violence, Achieving Equality*. And at page 3, right at the beginning of that report is a paragraph which I think puts the situation in very plain, simple, and dramatic terms. And I quote:

Every day in this country women are maligned, humiliated, shunned, screamed at, pushed, kicked, punched, assaulted, beaten, raped, physically disfigured, tortured, threatened with weapons and murdered. Some women are indeed more vulnerable than others, but all women, simply by virtue of their gender, are potential victims of violence. Moreover, the violence is often directed at them by those whom they have been encouraged to trust, those whom they are taught to respect, those whom they love. Violence against women cuts across all racial, social, cultural, economic, political and religious spectrums. While there is no question that violence may be conditioned by these factors, that fact remains that all women are at risk.

(1445)

It is against that backdrop, Mr. Speaker, that this government, indeed this legislature turns to the problem of domestic violence. And our response for this time in this place is this Bill. Our response is not thunder and lightning. But our response is a significant step along the way to the achievement of safety and security for our women.

Now, Mr. Speaker, I have been using the term women as though the Bill were concerned only with them. And I have to say at once as I begin to discuss the contents of the Bill, that we're talking about all victims of domestic violence.

It happens to be, as a matter of reality, that most of them are women and many of them are children. But they also include spouses, that is occasionally husbands, cohabitants, elderly parents, disabled members of the family, and people who generally are residing together in a family, a spousal or an intimate relationship.

So I wanted to make that clear that the Act cuts more broadly than women, than wives. But I make no apologies to the House for having used wives as the example because they are the overwhelming majority of victims in these horrible statistics that I have related

to the House.

As I said earlier, Mr. Speaker, we are moving the focus from one of punishing the offender to one of actively caring for the victim. And that is a move which I believe all members of the House and all persons with an interest in these matters will welcome. It is a question of protecting the victims of domestic violence.

Now I say to the House immediately, it is not a thunder and lightning proposition, because there is no way that society can put a police officer into every home. That's impossible. But there are things we can do, and the things that we can do are contained in this Bill. And I now want to move to a brief description of the kinds of protections that are included in this Act.

The most important, in my view, is the power to make an emergency intervention order. Now let me tell the House what that means, Mr. Speaker. In the present state of the law, as I speak, where a family violence situation is taking place, let's say where a husband is beating his wife and beating or threatening his children, the wife will reach a point in many such relationships where she simply can't take it any more and she has to do something about it.

In practical terms, what we require of her now is that she leave. She packs up the children and she goes. Not the offender who goes, but the victim who goes.

Our research tells us that this happened; that a women will go to the authorities and start to make an issue of her situation after the 30th occasion of violence. The 30th time that she is beat upon she will, on average, call the police for the first time. Now that is a horrifying statistic. When I learned of that statistic, I could scarcely believe it — 30 times, on the average.

Now I suppose that there are psychological factors — I know there are — that go into those kind of delays. They think the situation will get better; they think when the man is no longer under so much stress, he'll behave differently; they'll think after he gets over his head cold he won't do it any more; they think it's their fault because they've somehow provoked him. On and on and on. The literature is full of explanations as to why a women will accept any degree of violence. And we know from our research that she will on average accept 30 acts of violence before turning to the authority.

Anyway back to my explanation, Mr. Speaker. What this Bill says to the woman who is being beaten on at 2 o'clock in the morning, she doesn't have to pack up her two little kids; she doesn't have to throw a few changes of clothes and toys into a suitcase and head out to catch a taxi hoping that there'll be somebody at the transition house or there'll be room for her; or hoping that there'll be somebody home at her sister's where she might stay overnight; or God knows where she will find a place to live that night. But she knows she has to leave.

That's what we require of her in practical terms under

the existing law. We want to change that. And we propose to do it in this Bill by providing that the woman may get an immediate order from the justice of the peace, from a justice of the peace which will require the abuser, the perpetrator of the crime to leave the house.

Now that is a dramatic change in the approach to these kind of situations. That order may be obtained over the telephone, Mr. Speaker. It may be obtained by the victim directly or it may be obtained by a police officer who may have been called in to help in the situation.

But in any event, the call will be made to a justice of the peace. That justice of the peace will have received special training in the administration of this Act and will know how to deal with that kind of a complaint — know what questions to ask, what information to put together, what kind of an order it is possible to make.

And the Bill describes in some detail the factors that should be taken into account by the JP (justice of the peace) as well as the kind of orders that can be made.

But those orders include the following, Mr. Speaker: granting the victim exclusive occupation of the residence; directing a peace officer to remove the offending party; directing the peace officer to accompany, in my example, the wife, back to the house to remove personal belongings in cases where she has left the house; restraining the husband from communicating with the wife, or harassing her, or stalking her, or any of those things that we know take place.

Now I want to observe in passing that these orders made by justices of the peace are immediately forwarded to the Court of Queen's Bench where they are reviewed by a judge of the court within three working days of receiving the order, to ensure that the order is properly made and is within the powers of the JP under the statute.

Further, there is provision here for the husband, in my example, to take the matter before the court for a review of the order, and if necessary, for a rehearing of the case. That would happen in the event that the husband felt that the order wasn't fair, or that the information was wrong, or that the JP had been lied to, or something like that. So there are provisions in the Bill that protect the abuser in the event that the information before the JP was totally wrong.

Now that, Mr. Speaker, is moving towards thunder and lightning. That's getting beyond the stage of the mere polar bear in the legend — the polar bear with no natural enemies, who none the less is afraid of being killed.

The other part of the Bill that I want to draw to the attention of the House, Mr. Speaker, are the victims' assistance orders provided by section 7. I won't take the time today to deal with it in detail, but these are orders that cover some of the ground of the intervention orders. And I won't go into detail at this

stage because we'll have an opportunity to do that at a later stage.

And finally there is a provision that deals with, in section 11, giving the justice of the peace the power to order an actual entry into a place where someone believes that someone may be the subject of abuse.

Now this is, I suggest to the House, a timely step. In light of all that we know about domestic violence and in light of all that we know about the terrible plight of the victims of violence, it is time — it is past time that we moved in the direction that this Bill lays out.

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

**Hon. Mr. Mitchell:** — I want to conclude with that, Mr. Speaker. And in order to do that, I want to quote to the House from a statement made by Rosemary Brown, who is a British Columbia politician and feminist, addressing a Vancouver conference on family violence two years ago. And Miss Brown said the following:

“So long as men are at war against women, peace for all of humankind cannot exist, and there is no safe place on earth for any of us.” Peace has to begin in the home, in the family. If, as a civilization, we are committed to the survival of the family as the basis of our society, then (we) with (our) knowledge and education, with our experience and skills, can surely do much to ensure that the family is a place within which all of its members can dwell safe and equal.

Mr. Speaker, I move second reading of an Act respecting Victims of Domestic Violence.

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

**Mr. Martens:** — Thank you, Mr. Speaker. I want to take the time of the House just to acknowledge the work of the minister in dealing with this Bill. I noticed that he felt very strongly about it and he encouraged the Assembly by his address here this afternoon to have us consider the seriousness and the capacity with which he felt. And I want to thank him for it. I know that it is a subject that is probably very close to him and his family.

I also want to say that it extends beyond the mere . . . or it extends beyond the incidents that could occur between spouses. It occurs in seniors; it occurs in children. And I think we have to think about that. And I noted that the minister dwelt on that to some extent.

I want to say that the critic for the Bill is going to have a few more things to say on it later on.

I just wanted to say that this impacted in our home to some extent last fall when my wife was involved in helping a woman who had had a problem with her child being abducted from a crisis centre. And my wife was involved in helping this young woman with three children deal with that issue. And so it became a

very strategic kind of a concern of ours. This child was found in the United States and brought back to Canada.

So there are some very extreme examples of how violence can be against women, violence can be against children, violence can be against senior citizens. And so we have to take that as a serious consideration.

I want to also say that this establishes the law that these people will have to abide by. But somewhere, Mr. Deputy Speaker, in our society we have to teach people. We have to teach people that violence is not good. And that is the extremely difficult part. We can establish law, we can establish a standard by which these people have to conduct themselves, but in the long run it's an inward look at yourself that you have to take to establish whether you want to be a violent person or not a violent person. And I think we need to have society become more aware of this.

(1500)

The very fact that the minister is introducing the Bill establishes some of that as a standard, as I said, but also as a milestone where we say, this is the standard that is set; now we have to live up to it as a society. And that is also good. So as we take a look at it we'll be asking significant questions in relation to the Bill.

I am going to ask the Assembly to adjourn debate until the critic for the Bill has a chance to review the statements made by the minister. And with that I move adjournment, Mr. Speaker.

Debate adjourned.

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 14

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. MacKinnon that **Bill No. 14 — An Act to amend The Fuel Tax Act, 1987** be now read a second time.

**Mr. Martens:** — Thank you, Mr. Speaker. The Act to amend The Fuel Tax Act is the business before the Assembly today, and I just want to make a couple of points.

It has been brought to our attention, because we communicated with some of the agencies and organizations that were impacted by this, Mr. Deputy Speaker, we contacted the truckers' association of the province and they believe that this is a step in the right direction. They believe that this is an agreement that puts them on a better level playing field with other jurisdictions, and that is a part of what we believe in.

It's part of the whole deregulation focus that needs to take place in this country to establish a level playing field so that provinces and other jurisdictions don't

have a competitive advantage over us. And that, Mr. Deputy Speaker, is the reason why this Bill is there, and we say that it is going to be a step in the right direction.

I want to say that the government is to be complimented on this initiative, and we will be supporting it. We will also, Mr. Deputy Speaker, be asking some questions. The trucking association has also included some observations that I believe we must address as well, and those will be addressed at a later point.

But they have some serious problems with insurance policies that they have to carry and others don't have to, and that's another part of the trucking association's agenda that deals with insurance.

But this is important for them, and I believe that we have some questions that we will be asking in Committee of the Whole. And I will just at this point, Mr. Speaker, allow this from my perspective to go to Committee of the Whole.

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

#### Bill No. 16

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. MacKinnon that **Bill No. 16 — An Act to amend The Revenue and Financial Services Act** be now read a second time.

**Mr. Martens:** — Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, and to the minister, we generally don't have any problems with this Bill. I do have a number of questions that I'm going to be raising as a part of my discussions with other organizations, and I'm going to be looking into that.

We understand this is a technical improvement on the province's ability to collect taxes, and I notice that in the Bill it has a number of areas that it deals with. It deals with the education and health Act, the liquor consumption Act, The Litter Control Act, The Tobacco Tax Act, The Fuel Tax Act, The Horse Racing Regulation Act.

And in each of these, Mr. Speaker, it is obvious that there has to be a streamlining and a sense of efficiency within the Department of Finance and it is, I believe, a step in the right direction. This Act simply ensures that the tax collected by the businesses in the governments are steadily remitting their taxes and that's a good thing. Similar legislation is in force in other jurisdictions and thus does not represent any kind of competitive disadvantage for Saskatchewan businesses.

The provisions for former directors to prove due diligence in remitting the tax ensures that individuals are not unduly penalized without recourse. I will be asking some questions about that, Mr. Deputy Speaker, because of the wording that it has in the Bill

that there will be some liability on the part of directors. And I want to know from the minister, to what extent that will happen and to what extent that she will make that the responsibility of directors, even if the directors no longer are a part of that business.

We appreciate that this Bill will help the government in its financial management by allowing it to collect more fully taxes that have already been assessed and which are properly due to it.

And I noticed, and I will be asking these questions too, Mr. Deputy Speaker, that there will be a lot of the agencies like E&H (education and health) tax which collect on a regular basis, they have a regular way of audit, but there are many others that are having significant difficulties. And I would say that the liquor tax is going to be one with significant problems. And I'll be asking the minister to identify those that have the greatest amount of demand and will be impacted the greatest by this Bill.

I noticed that the minister made note of the liability of the corporation in a bankruptcy, that the corporation will become liable and some of the proceedings of the liquidation will also be a part of the Bill or of the ability to collect the tax, and I think that that's a reasonably good item to have. I wouldn't be able to say, Mr. Deputy Speaker — and I'll be asking this question — how much they would expect to get out of these proceedings. But I think that they need to put themselves in a position where taxes collected should be sent to those agencies to which they belong.

Also we're going to be asking questions about the fines and how much they are and how much they are anticipating that they will be. I will also be asking questions about the role or the responsibility of collecting these taxes when there has been a bankruptcy and when these fines are going to be attached to the bankruptcy on top of that. I think consideration is going to have to be given, and I will be asking how many dollars they anticipate coming from those kinds of audits.

And I believe that in general though it deals with streamlining some of the audit principles that need to go into good financial management, and we will be looking forward to the minister answering some of the questions that we have in detail; going through it in the Committee of the Whole.

So I'm going to allow this one also, Mr. Deputy Speaker, to move to committee and we will proceed on that basis as the government brings the Bill before the House.

**Mr. Kowalsky:** — Thank you, Mr. Speaker. Mr. Speaker, I'm very pleased to be able to rise and make a few remarks in support of this Bill. This Bill essentially allows and gives the government a few tools to collect some taxes which previously went uncollected. And I think it forms a very important part of the total strategy of the government in its attempt to recover financially and to put the books of the province into financial order again.

I take a special note and I'm very pleased to take note of the support offered to this Bill by the member opposite, the member from Morse. And I think it's very important that when it comes to recovering financially, as we all agree is something that we have to work towards, that we get good, positive criticism — tough criticism, but good, positive criticism — and also good support when it is needed. Because it is through such methods and such an example that . . . it is that type of an example that the people of Saskatchewan are looking for and are willing to back in order to fulfil their desire to see this province once again become a have province and not a have-not province.

I want to make a few remarks, Mr. Speaker, about how this Bill fits into the general overall strategy of recovery and the position that has been taken by the Minister of Finance in developing a five-year recovery plan.

As you know, Mr. Speaker, the Minister of Finance started out with facing a projected deficit of \$1.2 billion. That was reduced to some 800-and-some million in the first year of office, followed by two more deficit budgets, one which was a . . . after the 870 million deficit was reduced to 595 million, I believe the year following, and the year that we are just in the process of completing, the deficit was reduced to 295. And the budget that we are going into, Mr. Speaker, will have a deficit of only 188 million.

Now that figure of "only", the word "only", may seem to be trivializing it. I don't mean to trivialize it. But when you look at 188 million of deficit compared to the 1.2 billion some three years ago, it really shows a remarkable turnaround, Mr. Speaker, a billion-dollar turnaround.

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

**Mr. Kowalsky:** — And I'm just so pleased. This Bill will help, Mr. Speaker, it will help with the fiscal strategy which includes not only the raising of taxes, but also has included moves like freezing expenditures; in some cases actually asking people in the public service and the third parties to take a reduced amount of money and provide the services that they have been doing in the past in this same manner, but just trying to do it more efficiently.

There has also been very determined effort on the part of this government to renegotiate some of the previous deals. And one of the most publicized ones, Mr. Speaker, was the deal with the Federated Co-op regarding the NewGrade upgrader. Although the NewGrade upgrader is by no means out making a profit yet; there is still some debt that they are incurring on a monthly basis.

But according to what I understand, Mr. Speaker, there still is a situation, there still is a situation where we have had remarkable cooperation from a major agency in the province of Saskatchewan to help with this tremendous load that we are carrying, that is to get

rid of the deficit, the annual deficit.

There is one other comment I want to make with respect to this Bill, Mr. Speaker. This Bill is an attempt to collect taxes which were felt were leaking out of the province. And by doing so, we're able to make the statement that if these measures succeed, we will not have to raise any other taxes. That's very significant to those who may be considering opening a business or expanding their business now in Saskatchewan and also it is very significant in our ability to attract businesses to Saskatchewan.

(1515)

If we should get into a situation where we will eventually have to succumb for example, to the lowering of the cigarette tax as has been done, as was forced on Ontario, if we should ever have to succumb to that, then we may be in a position where we would have to increase the taxes, and measures such as those taken by this Bill would not be enough.

I was rather disappointed, Mr. Speaker, to say the least, when I heard the deal struck by the Liberal Prime Minister with his Quebec counterparts to reduce the tobacco tax. I was very appalled by that, Mr. Speaker.

And at the same time I'm very pleased that the western provinces have decided to take measures, cooperatively, to prevent smuggling into Manitoba, Saskatchewan, Alberta, and B.C. so that we can retain the tax structure. Not only because the province needs the money, but to go backwards on this whole concept of discouraging people to smoke and discouraging the young population in particular of taking up smoking, will just end up in increased use of tax dollars in the long run.

So I was very, very disappointed, Mr. Speaker, when that measure came about in the House of Commons. And it seemed to me that the only reason it was done was for political reasons, to be able to secure a Liberal victory in a Quebec by-election.

Mr. Speaker, I will close my remarks. I believe there are members that may wish to speak on this Bill. Once again, restating my support for the Bill and also acknowledging the support of the members opposite for support of this Bill.

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

**Ms. Lorje:** — Thank you, Mr. Deputy Speaker. I'm very pleased to be able to rise and address the House very briefly on Bill No. 16, An Act to amend The Revenue and Financial Services Act.

The member who spoke before me did comment on the cooperation of the members opposite and their general positive remarks with respect to Bill 16. I also would like to commend them for the very thoughtful, forward-looking, and fiscally responsible approach they are now taking in this House.

I would have wished, Mr. Deputy Speaker, as a new

MLA, that they would have been able to take that thoughtful, far-ranging, and fiscally responsible approach during the '80s and not simply leave it up to us in the '90s to come in and clean up the mess of the profligacy of their two terms. Unfortunately, sometimes enlightenment strikes people a little late, but I am very pleased that at last they do feel that they have been enlightened.

Bill No. 16, An Act to amend The Revenue and Financial Services Act is part of one — but a major part — one small building block in our whole general plan to bring fiscal responsibility back into this province. When we were elected in 1991 it was fairly clear that the voters of Saskatchewan were saying that what they wanted was to stop the excesses of individual and indeed of government greed of the '80s. What they were looking for was a government that would be effective, efficient, and thrifty.

In that sense, since we have formed government we have now brought in three budgets, each time being able to reduce the deficit. I'm very pleased that this last budget brought a further decline in the amount of the total operating deficit that this province has, and I'm very pleased that we will eventually be able to move towards a zero deficit within a year or two.

It's been a struggle but it's been a struggle that the people of Saskatchewan and the Government of Saskatchewan have undertaken willingly because they recognize that you have to have your own financial affairs in order if you are going to be master or mistress in your own home.

Bill No. 16 will introduce streamlining and efficiency and will improve tax enforcement in this province. It is unfortunately true that the former rules provided an incentive for taxpayers to delay remitting their tax until they were actually audited. Now Saskatchewan is one of the last provinces but will join all the other provinces in now applying interest on unpaid taxes from the date those taxes were due, rather than from the date of the audit period.

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

**Ms. Lorje:** — It is important, Mr. Deputy Speaker, that the tax laws of this province be applied equally to everyone and that we have an effective enforcement policy. Bill 16, the Act to amend The Revenue and Financial Services Act, will do just that. And I am very pleased that our government has brought in such a Bill.

Thank you, Mr. Deputy Speaker.

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

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

**Indian and Metis Affairs Secretariat**  
**Vote 25**

**The Chair:** — Order. I'll ask the minister to reintroduce his officials to the members of the committee.

**Hon. Mr. Mitchell:** — Thank you, Mr. Chair. I have with me again Marv Hendrickson, who is the deputy minister at the secretariat, and Mr. John Reid, who is one of the senior members of the secretariat.

**Item 1**

**Mr. Toth:** — Thank you, Mr. Chairman. Mr. Minister, the other evening when we had an opportunity to start our discussions on Indian and native affairs, we took some time discussing the issue of treaty land entitlement.

And over the past couple of days you're well aware of the fact that Saskatchewan Association of Rural Municipalities have gathered in Regina for their annual convention. And unfortunately I wasn't able to get in on most of the discussion yesterday, as they were discussing the issue. But yesterday afternoon, when I was able to make it over to the convention, there seemed to be a feeling of a lot of uncertainty, I think. And the feeling I gathered from a lot of the delegates was where SARM (Saskatchewan Association of Rural Municipalities) was going, where they anticipated or where they understood the government going, what the association was trying to get as far as affirmation from their delegates as to how they should be approaching government.

The concerns that continue to arise is what's going to happen to the rural municipalities as more and more land is purchased by natives, either on a private basis or falls into reserve status. Now I think we do have some agreement in place under the treaty land entitlement Act that allows for offset and some payment of taxes.

But the concern that came, and I gathered from most of the delegates, that a lot of them just felt they haven't or don't have enough information to sit down and really try to determine how they should be approaching this whole question. And I wonder, Mr. Minister, if maybe you could take a minute just to bring us up to date on some of the discussions that you had and some of the questions that have come across your desk relating to this whole issue.

**Hon. Mr. Mitchell:** — Mr. Chair, I want to thank the member for that question, which is probably the most important question that can be raised in the context of the present situation surrounding both the treaty land entitlement and the specific claims.

First of all, I want to say to the member and to the Assembly that we have worked as closely as we possibly can with the association, with the Saskatchewan Association of Rural Municipalities, as did the previous government, when treaty land entitlement was being negotiated. And throughout the

government has maintained the position of making certain that SARM had full information and that they were fully involved in all aspects of the negotiation that touched upon municipalities, rural municipalities.

And there were some very, very large and very difficult issues.

The largest of them, and this is where the member's question was going, I think, involved the viability of the municipalities where there had been significant land transactions to Indian bands within the boundaries of their RM (rural municipality).

The member knows — and I know from his question that he knows — the tax provisions that are included in the Treaty Land Entitlement Framework Agreement, and they were negotiated and accepted and signed off on by SARM as including a fund that would be available to replace taxes that would be lost to the RM as a result of land achieving reserve status. And that was a significant accomplishment in the treaty land entitlement process. Indeed I think it was so important that without that provision, the whole deal just wouldn't have flown, wouldn't have been acceptable to Saskatchewan at all. So that was a very important provision and it's embedded right into the framework agreement.

Now as those discussions went along, everyone was aware that there's another kind of claim that isn't a matter of the treaty entitlement but is a matter of bands who are short acreage as a result of some fraudulent act on the part of some official in years gone by. Typically it would have been a dishonest agent — Indian agents, they used to be called — selling the land, selling it out from under the Indians and pocketing the proceeds.

(1530)

There are a number of such claims around. And it was obvious to everybody as negotiations went along that as those claims were satisfied, as those specific claims were satisfied, that would result in land being purchased in satisfaction of those claims and that would raise exactly the same kind of viability question as under TLE (treaty land entitlement).

Now what to do about it. During the TLE negotiations, right at the end, the subject was raised. And my officials were in the room and heard the discussion — didn't participate in it because the province is not involved in specific claims — but heard it and heard the federal government say that the same provisions would apply to specific claims as under TLE.

Well somewhere since then that agreement has vanished. Who do you blame for that? I know who I blame, and I've said so publicly, so I'll say so again — I blame the department.

But in any event, somebody decided that that commitment respecting tax compensation provisions in specific claim situations has gone away, vanished.

It was a big issue between the SARM and the federal minister under the previous government, the Mulroney government. It was Tom Siddon and then Pauline Browes, and they kicked and fought and scratched about this issue trying to take the position that there never had been an agreement.

But then in the very last days of the administration of the former government, Ms. Browes wrote to the SARM and said, okay, we will do it; you will have a fund and it will be modelled on the TLE fund. I think it's 25 times assessed value as a fund. And so that ought to have been the end of it.

Now we're not so certain whether it's the end of it or not. Again you've got an unwilling department, you've got a new minister who seems to be quite sympathetic to the whole situation, and yet a decision has not been made that the new government will follow through on the specific claims with the kind of tax fund that is necessary in order to make that process acceptable.

So we're very worried about it. We're working as closely as we can with the SARM to ensure that this fund is established and that it is available. Because again, without that fund we're afraid the process is not going to work. Rural municipalities are just not going to see their land base, their assessment base, vanish because it'll do terrible things to them — in some cases, threatens their viability. And wherever it happens, it will cause damage to them as a result of losing that assessment base.

So it was a very good question. I hope I've answered it to the member's satisfaction. There are other issues around, but that is by far the most important one.

**Mr. Toth:** — Well, Mr. Minister, what basically I understand you're saying then is in the treaty land entitlement we're talking of new land claims and land settlement agreements under a specific agreement. When you talk about specific claims, you're talking of reserves where they possibly didn't receive, or like as you indicated, they possibly lost land because of maybe some fraudulent activities.

If I hear you right, what you're saying then is that in this situation they don't really fall under the treaty land entitlement Act, we're just trying to bring them up to par. And due to that fact then they fall out of that circle and that agreement. If I hear you correctly, I think that's what I'm hearing what's happening.

So I guess what I should ask is, how much land is falling under the specific claims? And I may have asked that question the other day. I know we asked a portion of how much land in total, but I wonder about the specific claims portion.

**Hon. Mr. Mitchell:** — I'm advised that the total land that could be involved in the specific claims process is up to 400,000 acres.

**Mr. Toth:** — I can understand why rural municipalities have a major concern out there. It may

not seem large in the overall scheme, but certainly 400,000 acres is still a substantial portion of land to become part of reserves where municipalities used to derive taxes at one time to provide the infrastructure that they offer to their ratepayers.

Mr. Minister, when we talk about taxes . . . and one of the RMs in my area happens to border on a piece of land that was known as the old Circle T ranch and it's been purchased by one of the native bands in the area, and now they're looking at some land just south of that.

And under this land, actually I believe it's TransCanada Pipelines happens to run right through that. And you're quite well . . . you may be well aware of the fact that any RM that happens to have pipelines running through their RMs or oil wells and pumps operating in the RM, there's a substantial tax base that is there. And in this case, this one RM, actually I think about 45 per cent of their taxes is derived from tax received through the pipelines for an agreement to cross that property.

And what I'm wondering, when we talk about the allocation of funding or funding to offset the loss of these taxes, are we talking of strictly just on the land base or are we covering all forms of taxation that were in place prior to land becoming part of . . . or receiving reserve status?

**Hon. Mr. Mitchell:** — Our understanding of the way in which TLE will operate is that that flow of money that the member speaks of will continue to go to the RM. In practice, the Indian band is required to negotiate an agreement with the RM to ensure that that flow of money continues. Now that's not within the tax compensation fund; it is a different provision. But there should be no decrease in revenue to the RM that you're talking about.

Now that's with respect to TLE. In specific claims, who knows? I mean it's just out there for negotiation and we don't know where that's going to end up.

**Mr. Toth:** — Mr. Minister, thank you. You also indicated that on the specific claims it was the understanding of your officials that there was an understanding of the federal government, at least previous to the last election, that there was a process, that they had a process in place that were basically bringing into agreements an understanding based on the treaty land entitlement Act. And I'm not sure if you indicated that you've had a letter indicating that they were willing to make that move, except for the fact an election came into play and now you're dealing with the new government.

I understand as well that SARM has . . . and I'm not exactly sure if they passed a resolution, but I understand they brought forward a resolution to go to court on this issue. And I'm just wondering if you'd have any comments or if you're aware of that fact.

**Hon. Mr. Mitchell:** — The letter in question from the Hon. Pauline Browes was addressed to the SARM and

we have a copy of it so we know what she agreed to. It was substantially the same as had been agreed to in the negotiating room when TLE was at its late stages.

And I have myself met with three federal ministers now to press the point that specific claims should have the same kind of a tax compensation fund — with Tom Siddon, with Pauline Browes, and now with the Hon. Ron Irwin to make exactly the same representation.

And I think the member's understanding that this could go to court unless there is a settlement is correct. I've had the same indication from SARM officials myself.

**Mr. Toth:** — Well, Mr. Minister, I guess as opposition members, and I'm certainly certain that a number of your own caucus, possibly in caucus, have been raising this concern — I'd be disappointed if they weren't — would be bringing forward the issue. It would seem to me we would encourage you and your officials to continue to negotiate as strenuously and as hard as you can to have the federal government realize what the potential disaster may be if we don't arrive at an agreement. Because from what I've been catching and hearing, even just around SARM, certainly some of the comments weren't all that pleasant.

And when this gets to be a fairly touchy and heated subject maybe . . . I'm just thinking, maybe one thing that you could have suggested to the new Minister of Finance is he should have taken a serious look at what Mr. Mazankowski had projected for a deficit in the upcoming year. And I'm not exactly sure — I haven't seen the federal books — whether he transferred some funds from Crown entities to show a larger loss. But if he could have left the . . . if the actual deficit would have come close to where Mr. Mazankowski was, he would have had a fair bit of breathing room to sit down and come up and honour with, and maybe allow the new Minister of Indian and Native Affairs the ability to look at the negotiations that have taken place, and to take a serious look and come up with maybe a firmer response to date.

So I guess at this time we can certainly encourage your office, and you as minister responsible in the province, to be as firm as possible with the federal government. And I think there is room for bargaining because I'm sure that the federal government at this time is going to be looking towards the provincial government for some help in some of their programs as they bring them forward as well.

And I don't think I have to suggest the fact that there's negotiations and wheelings and dealings, and well, if you scratch my back a little bit I'll scratch your back a little bit, and let's try and work to bring our policies that would benefit all of Saskatchewan residents.

Because one of the things . . . you introduced an Act today regarding domestic violence, and certainly you've talked about the Inuit people. And I think violence isn't something just happens one specific group of people. And I'm sure the native community

of our province are quite well aware of that fact as well.

And we need to look at ways in which we can address many of these issues, not only amongst, say, the white community, or the native community, or any other community. The fact that we must work together to . . . and I guess maybe one of the things is to educate people and encourage people to have a broader outlook and a broader acceptance of other individuals and other nationalities.

Mr. Minister, another area of major concern when it comes to land entitlement I guess is regarding community pasture land and the effect that land claims will have on these properties. And I wonder if you could please outline what happens in this regard and what happens to producers who lease these pastures.

**Hon. Mr. Mitchell:** — One of the problems with this land entitlement process is that there is not enough unoccupied Crown land around. The member knows that under the Natural Resources Transfer Agreement and the Act with respect to that agreement, the provincial government's got ownership of natural resources, and one of the things that we committed ourself to in return for that transfer was to provide unoccupied Crown land in respect of unsatisfied Indian land entitlements.

And we're being called upon of course now, under both the treaty land entitlement process and the specific claims process to ante up the land. Not the specific claims process, but the treaty process. We are contractually and legislatively bound to ante up that land, and there isn't enough land. To all the Crown land in the province I think it would take care of about 25 per cent of the total land claim. And a lot of that, of course, is community pasture type land where we're actually running the pasture or we're leasing it to PFRA (Prairie Farm Rehabilitation Administration).

(1545)

A lot of that land has been claimed, or parts of it have been claimed, the parts that show some signs of being economical. And it presents a very touchy problem because there's a lot of people who had been using that pasture land for years as part of their own farming operation. And we trod our way very carefully through that, as did your seat mate, the now Leader of the Opposition, when he was responsible, because it's no easy matter.

The way in which it was resolved was that in order for that land to be turned over, to be transferred, requires the agreement of 75 per cent of the patrons of that pasture of the people who had been using it. And so in one way or another their opinions are canvassed, and they have to be in very substantial agreement before that happens.

I think that's a workable approach to it. There are two or three problems in the province, and I met with one of them just yesterday, where they are having

particular problems. And when that happens, my secretariat, Mr. Hendrickson and his officials, are out there, not trying to force any conclusion but trying to improve the communication and assist the discussions to try and encourage the people to come to an agreement.

**Mr. Toth:** — Thank you, Mr. Minister. Mr. Minister, I just also wanted to reiterate the fact that I think when we talk about community pastures, I just want to acknowledge the fact that there are pastures also out there that are run under a cooperative basis that really don't fall under the community pasture jurisdiction.

And I guess one thing we want to make sure is, are these pastures included as well, or is it strictly just Crown land that we're looking at, government land and these co-op pastures. My colleague indicates these are Crown land as well. So is there a difference, or are all pastures, whether it's a cooperative group of individuals forming a pasture corporation or the community pastures, run by PFRA?

From what you've told us so far, it would seem to me that you're saying all pasture land is up and accessible, or may fall under the terms of the agreement. Is that true?

**Hon. Mr. Mitchell:** — All unoccupied Crown land in the province is of course subject to claim. Whether it in fact is transferred depends upon the circumstances. So therefore all of the pasture land is in that category.

With respect to the co-ops, we're not absolutely certain that we know the answer to the member's question, Mr. Chair. But you would have in effect then a lease to a cooperative and it would require the consent of the cooperative, however they get that consent among their own members. I think that's how it would work, although we have not yet encountered the situation so we're not just certain how it works.

Of course the Department of Agriculture and Food have a substantial interest in those pastures also. But it's our understanding that with the co-op leasing it, it is legally one person leasing it and they would have to make their decision internally and either consent or not consent to the transfer.

**Mr. Toth:** — So what you're saying, Mr. Minister, to your knowledge they would be . . . because they are Crown land, they actually would — but you're not totally sure on it — but as far as you know, they would fall under the same criteria, that they would be land that would be available to form some of this treaty land entitlement.

The one thing I guess, and that's . . . I guess it's based upon 75 per cent of the current producers who are utilizing the pasture agreeing to the transfer to reserve status.

I guess the other question I would raise, Mr. Minister, and I raise it because down in the Moose Mountain area, the White Bear Reserve, at one time PFRA had gone in and designed and developed a fairly extensive

pasture area. And then of course — I'm not exactly sure of all the details, whether it was on reserve land at the time or whether it was taken in afterwards — but there were a lot of producers who were allowed into and taken into that pasture and had access to the pasture. And then about six years later, all of a sudden the doors were closed and there were a number of producers just had nowhere to go with their livestock.

And the question I guess I'm getting to, Mr. Minister, is has there been any discussion with the Indian, the native community, in these negotiations, and government, as to whether there would be some form of compensation or continued access to that land for pasturing purposes? And I'm wondering if you could bring us up to date as to the purpose you might . . . or the discussions that have taken place. And also whether or not the native community are willing to take a long-term look at this and continue to provide access to grazing in these pastures.

Because for producers to, say have two or three years and all of a sudden find that they've lost that pasture, it's not that easy to then just find another area to pasture your livestock, especially if you're building up a herd. So I'd like to know what discussions have taken place to date, whether or not any discussions have taken place regarding the access to pasture land. It would seem to me that I would think most reserves and most native communities would want to look at an economic . . . (inaudible) . . . as a way of deriving some economic spin-off to benefit the people on their reserve, the people that they are trying to provide for.

**Hon. Mr. Mitchell:** — Sorry to the member. I took some time because it was a complex question; three questions in one, I think.

With respect to the White Bear situation first of all, that was a specific claim negotiated in order to take care of a shortfall that . . . and we were not involved in it, that was a federal band arrangement. We've been involved in it because you just can't escape being involved as you try and work out some of these problems that the member has referred to, but there's not a lot that you can do as a kind of volunteer in the situation.

We have been urging the federal government for a long time to establish . . . I want the member to hear the answer, Mr. Chair, because he asked the question.

We've been urging the federal government for a long time to adopt some hard-edged, clear policies with respect to specific claims so that everybody knows what's going on and everybody knows what the rules are, like in the case of TLE. And at least with TLE, huge and complex as it is, everybody knows the rules because it's right there in the framework agreement and agreements negotiated under the federal agreement, and everybody knows their responsibilities, what they have to do, and it is clear. That is not the case with specific claims.

Now the federal government say to us: that's none of your business, get off my back. So you know that's not

the answer we hope to get but it's an answer we understand. But we keep at it because it's so important and the member's question indicates how important it is.

The approach has to get closer to the TLE approach or the kind of approach that our secretariat takes to these kind of problems — get people together, get them in the same room, facilitate the communication, try and work it out, make sure everybody's got all the information so they can begin to start to trust each other and work out the trade-offs, and the compromises, and the understandings, and the agreements that have to go along with these kind of situations. And in the final analysis, nail down formal agreements incorporating all these policies and approaches in a TLE kind of approach that would make it clear how specific claims should be handled.

Speaking generally, our work with the Indian bands, both the entitlement bands and the specific claim bands, indicates to us that the bands are very anxious to arrange long-term agreements with people like the third parties, like the patrons at community pastures and the other people who have been using the land and deriving benefit from it, so that they'll continue to use it and so that the economic advantage will continue to flow to the band or will flow to the band, that used to go to the provincial government or PFRA.

And in the majority of cases, I think the way it'll work out is that the patrons will not be . . . they're not threatened, they're not going to lose their grazing privileges; they'll be able to bring their cattle there to continue to build up their herds, to continue to operate along the lines that they previously did.

Now it's not smooth and not easy and it'll have some glitches in it as it goes along. But the end that the leadership on the Indian side visualize is a good, smooth-operating pasture, full of cattle, full of happy customers, good cash flow to the band as a result of it, and everybody just feeling satisfied about it.

Now we're going to do our best to help get them there, but it's a lot easier under TLE than it is under specific claims, for the reasons that I've just indicated.

**Mr. Toth:** — Thank you, Mr. Minister. And, Mr. Minister, I would certainly encourage that you just firm up your spine and let the federal members know that they may live in Ottawa and be making decisions far removed from here, but certainly the problems, be they federal in nature, are issues that we have to deal with on a daily basis, and whether it be SARM, whether it be SUMA, or the provincial government.

(1600)

I think, as you've indicated, we just can't necessarily wash our hands clean of the issue because it's something that's the responsibility of the federal government. And I guess one of the concerns I have is the fact that I believe it's . . . was it the Akwesasne Reserve that has basically laid claim even to the airspace over their reserve? And that was a question

that was raised the other day at SARM. And I'm not exactly sure if someone made that comment, but I think we need to continue to have a good, ongoing working agreement and arrangement with our native community. And I commend you for the work that has taken place to date, along with what has taken place even prior to your involvement. And we trust that even the new minister, the new federal minister, will realize the significance and the importance of coming to amiable and workable agreements regarding native land entitlement.

Mr. Minister, another question that arises is, is it possible that land would be purchased outside of the treaty land entitlement Act? Would natives have the ability to — native reserves or natives on a personal basis — be allowed or have that ability to purchase land outside of the treaty land entitlements? And in that case, is that land taxable? If it isn't, then how is it treated or is that something that . . . is that a hurdle that we're still working to try and get over?

**Hon. Mr. Mitchell:** — With respect to the first part of the member's statement, I want to tell the member that I'm just like a rock here, like a piece of iron. There are issues here that are so important, and if they're not dealt with correctly, it's going to poison the whole process. So I've got my teeth dug right in there and I'm not letting go, like a bull-terrier, just right on. I want to tell the member that. And I do appreciate the support that we have had from the opposition on these issues as we tried to provide support during the time of the previous government on these issues. They transcend politics that are too fundamental to the future of this province to make the subject of partisan debate. And I do appreciate that.

With respect to the second part of the statement, that is the purchase of land outside TLE, first of all, the TLE funds are extended within the framework of the TLE agreement. But the member was talking about other money. If the band purchased other land, separate and apart from the treaty land entitlement process, they of course are entitled to do that if they want to. They're just like any other person or organization in our society.

The federal government has a policy about additions to reserves, and it is possible that that land could be given reserve status. But the policy has a process of consents in it and that involves the consent of the municipality in which the land is located so that it could not achieve reserve status without the consent of the municipality . . . (inaudible interjection) . . . Yes, and that consent process involves dealing with the question of taxes and dealing with the question of the applicability of by-laws in particular. So that has to be resolved before the federal government will give the land reserve status.

Now just to complete my answer: if the land does not have reserve status, then the band pays taxes on it as does any landowner.

**Mr. Toth:** — Thank you, Mr. Minister. So what you've indicated then, if a band purchases land outside of the

TLE, then that land is still taxable until it receives the process that is in place to give it reserve status. And at that time, then it falls under the treaty land entitlement which would give revenue to the RMs to cover the cost of maintenance of roads and what have you.

At this time, Mr. Minister, what is the process when it comes to road maintenance through reserves or in rural municipalities? And what's taking place, certainly in our area, there is a purchase of land, it's not specifically in a block — if it was in a block it would be a lot easier to address, but you've got a parcel here and a parcel there — and some RMs are affected in much more difficulty . . . in difficult ways than other RMs.

And what is the process to date? Do the bands themselves help with some of the maintenance? Do they pay for some of the maintenance we've got? If it's a reserve status, if that area has reserve status, then of course they're getting compensated for the tax loss; but if there's land that's in between parcels of land and you've got say a section of land and two sections over here and then you've got a mile of road then to the reserve, who's responsible for that? Or is it just workable agreements between RMs and the current bands?

**Hon. Mr. Mitchell:** — Again, Mr. Chair, I took some time because it is quite a technical part of the TLE process.

The framework agreement contemplates that the RM and the Indian band will negotiate an agreement with respect to the maintenance of roads in the circumstances that are outlined by the member. That agreement will provide the money that will be paid by the Indian band for the maintenance of the roads. It would normally involve some kind of a negotiated fee for maintaining the roads to the reserve and the roads within the reserve.

Or it may be that the band itself will, under the agreement, provide that road maintenance and there would be some detail about the amount of maintenance that would be provided, including both grading and snow control during the wintertime.

It is a fact that the federal government has not for some time funded the bands sufficiently to actually do a lot of maintenance or to pay for a lot of maintenance. So this is a sensitive area but it's sort of working and we are quite hopeful that it will develop in a satisfactory way. The bands want it to work, the municipalities want it to work, and I think in those circumstances they'll find a way to make it work.

**Mr. Toth:** — Mr. Minister, due to the fact that these concerns are out there and RMs have major concerns — I think you indicated earlier that certainly SARM and SUMA (Saskatchewan Urban Municipalities Association) have had some input or have been involved in the process of negotiations, I'm not exactly sure at what level, possibly with your department and officials as you then negotiate at the federal level — but I think it's very important that we

raise the issues and certainly raise it with the native community and not just on the basis of maintaining access.

But an instance came up this winter in one of the reserves close to our area where unfortunately the . . . I'm not sure if the reserve in effect was opening its own roads or had an agreement, but basically the one operator was told that he really wasn't to open this road to one couple and they were basically isolated for three months and I think that's something that's of major concern to us. And we don't really have the ability to go and force that issue. I think it's something though that we have to continue to raise, that we all have a responsibility and the native community have a responsibility to care for their own as well because we certainly are providing or attempting to provide the funding for them to take care and to provide services and access for their own community. So I think as I've indicated, those are some of the areas we must continue to bring forward as suggestions to the federal government as they continue these negotiations.

What about zoning? What responsibility or what say do RMs have regarding zoning by-laws? As we start looking at the case of reserves and the areas they may encompass, especially when it comes to municipalities that are close to large centres, when you have in some cases like the Fort Qu'Appelle area where you've got . . . like say the reserve has asked for a zoning status, a reserve right part of that community? And I can see even in the area of Saskatoon I'm sure that there may be some requirements or demands or . . . I shouldn't say demands, use the word demands, but requests from reserves to . . . for land fairly close to some of our large communities, and as they branch out of the large urban centres, because of the fact that cost of land in the urban centres is higher than land in the rural areas, it may create a problem for some of our rural municipalities or larger urbanized municipalities such as the RM of Corman Park.

What process is there for RMs to be involved in regarding the zoning that might take place? Do they have any say or any involvement? Are they included in the discussions?

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, we don't foresee any insoluble problems there. Again, as in so much of TLE, it has to be negotiated out. Both in the case of urban and rural land, which is a candidate for reserve status, it is required that a service agreement be negotiated. And one of the matters that is expected to be covered by the service agreements are the zoning, the applicability of the zoning laws of the municipality or how the land will be used, and that will be taken care of therein. The same agreement that talks about the delivery of municipal services — sewer and water services and policing services and by-law applicability — zoning is taken care of at the same time.

(1615)

I might also just mention before I sit down that I want

to acknowledge the very satisfactory working relationship between SARM and the FSIN (Federation of Saskatchewan Indian Nations) on these issues. They really are working very closely together and with a high degree of mutual understanding and respect. And the same thing applies to SUMA. And we really admire all of them for the kind of work that they're doing. And we would of course assist them, and we do in every way that we can.

**Mr. Toth:** — Well thank you, Mr. Minister. And I think maybe some of the frustrations some of the delegates at SARM were facing yesterday was trying to . . . for the SARM, their head body as far as their directors and what have you, the difficulty they have is when you're in negotiations, is how much you can lay out as to what you're doing. And the best they can do is listen to the delegates and the concerns they're having, and then try to put it in a framework that they can go and continue to negotiate with the FSIN, and I'm certain, with the new leadership in SARM, the good mutual workable arrangements or agreements will continue.

What I wonder, Mr. Minister, could you give us an overview of what has been done to address questions regarding the selection of potential land, third-party rights, and rights involving access and easements.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, I just want to briefly go through the process. The band selects the land and the band notifies the federal government. The federal government notifies the secretariat and requests information about the third-party interests and other information. We then spread the word across the government as to the land in question and we learn all the information that is available within the provincial government.

That would include easements and outfitters and all kinds of third-party claims of which the government has notice, as well as water bodies and that sort of thing. And we then respond within a limited time as to the situation, as to these other interests and information. We respond within 45 days with respect to Crown assets and within 90 days with respect to private assets of which the provincial government has notice — like an outfitters' camp or something like that.

The band then must seek formal approval to obtain the land and go through whatever processes they have to go through under TLE to do that. And then if it's approved, the band must purchase the land within 15 months.

**Mr. Toth:** — Thank you, Mr. Minister. We've been talking about the treaty land entitlement Act. Is there a specific lump sum of money that's involved here? I've heard the number of \$50 million being used for tax loss compensation of municipalities and school boards. And what I'm wondering is, is this just a specific number? Is there a point where that sum of money may run out? And if it does, then where does the shortfall come down the road as far as reimbursement to a municipality for loss of revenue through taxation?

**Hon. Mr. Mitchell:** — The \$50 million the member refers to are actually two funds — one for municipal taxes of about \$25 million and then a second for school taxes of the equivalent amount. And it is the estimate of the provincial government, the federal government, and the FSIN that that is sufficient to cover . . . and yes, my officials say, and SARM, that that is a sufficient amount of money to last, to handle the tax situation in the future.

**Mr. Toth:** — Well what you're saying, this 50 million, as it goes through the years, should last for a substantial amount of time in relation to the amount of taxes that you already perceive that would be a loss to certain RMs. And that includes school boards as well, if I'm not mistaken, you've indicated . . . great.

I guess there's one other question before one of my colleagues jumps in and has some questions — another area of concern or that could arise, and this may get into another major topic, but regarding hunting rights, hunting privileges, and the whole process.

As land takes on reserve status it would seem to me — I'm not exactly sure what all the details are — but that land then would probably not be accessible to hunters outside of the native community. And one of the major concerns we do have, and in our area continues to be a concern, is hunting and certainly even night hunting that takes place. And it's one area that the — night hunting — that the Department of Natural Resources is very concerned about, and Wildlife Federation is concerned about, and we've been trying to address that over the years.

And I guess, like I say, this I think could be another major portion of discussion. I wonder if you have any comments on that regard, Mr. Minister, and then I'm going to hand it over to one of my colleagues for some questions that they have.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, I recognize that this is an area of sensitivity, of great sensitivity, and has been the matter of some controversy in the past, and I won't dwell on that in my answer. I will say that so far as the secretariat is concerned, these issues are on a good path.

The Wildlife Act, the position of the provincial government for decades has been that The Wildlife Act applies. Whether or not that was a correct constitutional position I won't argue today. But that has been the approach.

In recent years a different approach has emerged and is emerging up to the present. And that is a co-management approach where Indian representatives and government representatives work together to provide for the management of wildlife resources in an area. And we're developing these and they're being received with enthusiasm by all sides. And the Wildlife Federation is involved in these and I think that is a good path. That's what I mean by a good path.

The second aspect of the path that I regard as good is the way in which the FSIN and the All Chiefs conferences have handled this issue. They have, for example, and with specific reference to the member's question, said no to night hunting. Night hunting does not have their approval. Their Assembly has also focused on the question of hunting safety, and they are fully involved in the hunting safety programs that exist in the province.

And they will continue to do that as we move into . . . try and accommodate the federal government's new legislation with respect to gun control. The Indian people will be involved in that also and will be cooperating with the new regime.

They have also passed a wildlife Act in their Assembly that is very progressive and very tough, I think I could say, with respect to the husbanding of wildlife resources.

Now as to the question about accessibility of reserve land to outside hunters, I suppose it is the same as accessibility to the member's land. If you want to invite someone on to your land to hunt, or if you have no objections if they come on to hunt, then they could come on to hunt. But if you don't want them on to hunt it is your right to say, no, you can't come here. And I think the same thing applies with respect to Indian reserves.

**Mr. D'Autremont:** — Thank you, Mr. Chairman, and Mr. Minister. I'd like to ask a few questions about the situation with White Bear and the casino. I believe that two of the people who were initially charged were . . . the courts threw out those charges. I believe one other one, the charge was dropped, and on the fourth one the charge was stayed — if I'm correct on those; I'm not positive. But I know the one was stayed.

I'm just wondering where in the system now, dealing with the reserve at White Bear, the court case is in the situation dealing with the jurisdictional issues.

**Hon. Mr. Mitchell:** — I'm sorry to have to tell the member, Mr. Chair, that I haven't got the material along and I don't have a clear recollection of the disposition of the charges or the stage that the jurisdictional question is at. It's my best recollection that the matter has not yet been argued in the court, but it is scheduled for argument in the court. But I must confess again that I'm not recently briefed on it and I can't answer the member's question with precision.

(1630)

**Mr. D'Autremont:** — Well thank you, Mr. Minister. It's an important issue in our area considering the fact that the government is talking of issuing licences for casinos in Regina and Saskatoon. We have an area that was prepared to go ahead to finance their own casino and yet they're being held up in the court system now. It's been a year, and yet there seems to be no resolution coming and the people in the area would like to see some resolution to this problem.

There's also a concern that someone may decide to push the issue and again will have some conflict within the court system. I think it's important that the jurisdictional issue be settled in this particular case, Mr. Minister, because it affects not only that particular reserve but also all the others around the province.

Now I realize that the FSIN is involved with negotiations dealing with casinos in Regina and Saskatoon, but there's other interests also involved in this. And the White Bear Band are one of those groups that are particularly involved. And there's a number of other bands that are also interested in this particular issue.

While sometimes our court system takes an awful long time, Mr. Minister, to make decisions when the government is making decisions which relate indirectly to the court situation that is taking place, I think it's imperative that the system be moved through as quickly as possible. And as the representative dealing with Indian and Metis Affairs in this province, I would think that it's incumbent on you to try and move that forward in their interest as quickly as possible.

So, Mr. Minister, I would ask that you would look into that in your capacity as minister in charge of Indian and Metis Affairs on this particular issue, because it is important in the area. It would be a major economic development for the reserve and for those people that are there.

The casino is operating today dealing cards only, basically — no slots. And if you go in there and visit with those people, they're proud of what they're doing. They're pleased to be able to work, to provide their own employment, and it has significantly improved the morale of the people living on the reserve. So I think it serves as well socially for those people to have that type of employment, to have that type of control on their lives.

There are other social ills which come from that, from the casinos themselves, but from the aspect of the morale on the reserve, the dignity and the pride it has provided those people, I think it's an important social aspect that needs to be considered when decisions are being made, particularly with the decision of putting the casinos in Regina and Saskatoon.

I believe that there are other areas within this province that that type of economic development could have served as well, if not better, than placing it in Regina and Saskatoon. Certainly Regina and Saskatoon are major population centres but maybe that economic impact and that social well-being could have generated better results in an area outside of the major centres rather than inside of the major centre, Mr. Minister. I wonder if you'd mind commenting on that.

**Hon. Mr. Mitchell:** — Mr. Chair, I agree with the member that this jurisdictional question should be cleared up as quickly as possible. It is an important question and until it's been resolved we're kind of

stymied. I haven't followed up on the case for some time in my capacity as the Justice minister and I think I should do that, and I'm spurred on to do so quickly by the member's question.

The member remembers quite clearly, I know, the situation we were in at the time of the developments in White Bear, being responsible for the administration of the Criminal Code provisions and trying to deal with those in an appropriate way. And it has led to this jurisdictional issue and it is one that just has to be cleared up and cleared up very quickly.

In the meantime the world moves on, and Chief Crowe in his consultations with the chiefs at the FSIN, the All Chiefs Assembly, had a very broad basis of support for participation in the present provincial policy, but I think clearly left open the question of on-reserve developments in the event that jurisdictional questions should be resolved in favour of the White Bear Band. So I will follow up on that and ensure that we're not the hold-up.

**Mr. D'Autremont:** — Thank you, Mr. Minister. I look forward to your responses after you've had a chance to look at this. I will now take my place and allow my Liberal colleagues to ask a few questions.

**Mr. Toth:** — Thank you, Mr. Chairman. I guess I'll take over and converse with the minister. I think we've been having a good discussion, seeing as we don't have anyone else to ask questions at this time.

Mr. Minister, yesterday I caught on the news — and I didn't really catch the full impact — but it seemed to me the federal minister was in discussion . . . made an announcement regarding self-government. I believe it was in the province of Manitoba.

I'm wondering if you have any knowledge or if there was any interaction with the department here — with your department, your officials — regarding this announcement, and if you know exactly what they mean by the process? Maybe you're like we are; we're still trying to understand what they're exactly referring to when they talk about self-government. But certainly, if I'm not mistaken, the minister called it a real breakthrough. And I just wonder if could you comment on that, please.

**Hon. Mr. Mitchell:** — Mr. Chair, and to the member, the announcement by Mr. Irwin took us by surprise. We didn't know that that was a part of their plan. Our understanding had been that Mr. Irwin was going to go through a consultation process till some time in July, at the end of which time he would have arrived at a process, at a way in which the questions of self-government could be negotiated out. And we expect to be involved in that.

Those self-government negotiations would in due course lead to an abolition or a . . . yes, an abolition of the Indian Affairs department. But we had imagined this to be sometime down the road. The announcement that he made concerning Manitoba took us by surprise. We're not opposed to it because if

there is any way that we can nuke the Indian Affairs department in this country, I think that would be some progress.

So it is an intriguing prospect. Now how you can eliminate the department in Manitoba and leave it continuing to operate in Saskatchewan is a little bit difficult to understand, but we'll have to wait and see events unfold.

**Mr. D'Autremont:** — Thank you, Mr. Chairman. Mr. Minister, I wonder if you could explain to me what your jurisdiction would be with on-reserve things such as welfare or home care. Do you have any jurisdiction there?

**Hon. Mr. Mitchell:** — No, we don't have any jurisdiction with respect to welfare on reserve nor home care on reserve.

**Mr. D'Autremont:** — Thank you, Mr. Minister. How about if there are situations where there may be harassment or abuse. Would you have jurisdiction there?

**Hon. Mr. Mitchell:** — I'll deal with the question of protection of children, child welfare. It's a complex situation, but the provincial government is involved in these questions on reserve. We have agreements emerging with tribal councils for the provision of child protection services on reserve. And we in effect . . . these agreements in effect make band employees officers of the provincial government for the purpose of providing these services, and the services are delivered in the name of the provincial government. I'm grossly simplifying, and I don't have a copy of the agreement in front of me, but I'll be glad to make one available to the member.

There's one with the Touchwood-File Hills band was one . . . or Tribal Council rather, and we're negotiating one with the Meadow Lake Band. And we expect that in due course we'll have one with every — I say band, I mean tribal council — we'll have one with every tribal council.

Those agreements apply up to the point where the situation is so serious that you're talking about actively intervening and taking the children into custody and taking them away. We don't do that under that agreement; we do that under the provincial statute. So that apprehension and the care of the children after they're apprehended is done in the same way on Indian reserves as in any other community in the province.

(1645)

**Mr. D'Autremont:** — Thank you, Mr. Minister. These agreements, you would have to sign them with the tribal councils. Does that make every band that belongs to that tribal council also part of that agreement?

**Hon. Mr. Mitchell:** — Yes, it's binding on all the bands.

**Mr. D'Autremont:** — Thank you, Mr. Minister. The reason I brought the question up was not specifically children, but rather elders. I have received some calls with concerns about elder abuse on some of the reserves. Do you have any agreements that would cover them also?

**Hon. Mr. Mitchell:** — Our position is that elder abuse would fall in the same legal regime as elder abuse off reserve in any community. The RCMP would be expected to respond to complaints. If we pass the Bill that we were debating earlier this afternoon, the provisions of that Bill will be available to people living on reserve. And that includes elders who are the subject of domestic violence, for example. So the same rules apply.

**Mr. D'Autremont:** — Well thank you, Mr. Minister. I look forward to being able to work with you on these particular issues and I'll talk to you about the circumstances that I am thinking of and I would like to thank you for that.

**Mr. Toth:** — Thank you, Mr. Chairman. Mr. Minister, I'm not exactly sure if I had asked you the last time we met about Metis land claims. Is this a separate issue regarding the Metis question out there versus the native land claims, and how are we dealing with that question?

**Hon. Mr. Mitchell:** — Mr. Chair, the Metis land situation is entirely outside the treaty land entitlement question. The treaty land entitlement applies to Indians and the treaties that were negotiated with Indians a hundred-and-more years ago. The Metis people have never had a treaty with Canada or with any of the provinces, at least the province of Saskatchewan, and so their claim is on a different footing.

The acquisition of a land base has been a priority of Metis in Saskatchewan as it has in other provinces for some long time, and they have been discussing that with successive provincial governments over many, many years. We knew of course, in recent years, that they continue to maintain that position and the Metis Society has, over many presentations to us, made it clear that they expect to negotiate a land base, the acquisition of a land base with the Government of Saskatchewan and with the Government of Canada.

Just a couple of weeks ago they commenced a legal action to that end. We were aware that this action was forming up and had been specifically notified of that some two months prior to the action having been started, when at a meeting in my office the leadership of the Metis Society and their solicitors told us that this action was coming. So it was not a surprise to us.

I've read the claim and it's a very complex claim, very detailed, very interesting. And it will require a good deal of work within the government, within the departments of Justice and the secretariat and other departments, in order to evaluate it. But we are going to have to respond to it.

The Metis nation is moving across Canada in the direction of self-government, and that's logical because they're recognized as an aboriginal people under section 35 of the constitution. So it is their right. And the recognition of the inherent right that I've spoken about so often applies to Metis as it does to Inuit and Indian peoples.

Inevitably, part of the discussions around self-government issues will also, I think, involve a land base. I don't know that but I . . . all my experience tells me that that will be part of that package too. So these two processes, the legal action on the one hand and self-government negotiations on the other, are going to overlap, I think, on the question of land. And we have a lot of work to do obviously and a lot of decisions to make as we move along on both of those tracks.

**Mr. Toth:** — Would there be any idea of how much land the Metis community are possibly looking at? Have they given an indication of how much land that they would be . . . anticipate requesting under a land agreement, Mr. Minister?

**Hon. Mr. Mitchell:** — I just don't know. If you look at the statement of claim, it's an incredibly large tract of land, going from approximately Green Lake to the northern boundary of the province. But you know, it is only a statement of claim and they're not going to err on the low side, obviously, in making the claim.

But as to the amount of the entitlement, I couldn't even speculate. And as to the amount they might achieve through negotiation, if any, I couldn't speculate on that either. All of that lies in our future.

**Mr. Toth:** — Mr. Minister, recently the government had announced that they were looking at preparing to hand over for native self-government — I'm not sure; maybe, possibly you're into some discussion — some \$550 million for native self-government and especially dealing with some of the social aspects, social programs. And I'm wondering, Mr. Minister, if you could fill us in as to where we are on this right now.

Maybe this is another whole new debate that's out there to take place. I'm not exactly sure if it falls right here in our jurisdiction, talking about Indian and Native Affairs or if we're getting into another department. But maybe you could just bring us up to date on that, if you wouldn't mind, Mr. Minister.

**Hon. Mr. Mitchell:** — Mr. Chair, I want to say to the member and I want to say this as emphatically as I can. We are not, not, not, not planning to turn over \$550 million or anything like that amount to any aboriginal organizations. Period, but not full stop; I want to go on. I want to say that we have committed, as has every other government in this country, committed to the notion of self-government, to the recognition of the inherent right, and will inevitably lead to negotiations on the question of what that means.

I don't know what it means, the member doesn't know what it means, the aboriginal peoples do not know what it means precisely, but through a process of discussion and negotiation we will put flesh on that as time goes on. That will inevitably involve the assumption by aboriginal people of responsibility for some of the programs now being delivered by the federal government and by the provincial governments.

With those negotiations for the assumption of those program responsibilities will go some agreements with respect to money, the financing. And it will have financial implications and those have yet to be worked out.

Where the \$550 million figure comes from — and I want to make very certain that the member understands that — it is an estimate of how much of the provincial expenditures are now going to, or being spent for the benefit of, aboriginal peoples . . . give us some idea of the maximum ball park here that is involved in — not in transferring, not in self-government — but in respect of our Indian and Metis populations in this province.

So I know the media report on this was flawed right at the beginning and we must correct ourself in this House on this point. There is absolutely no plan whatever for this government to turn over \$550 million to aboriginal organizations. We won't do it. We couldn't do it if we wanted to. We don't have that kind of money to hand over to anybody. But we are prepared to honour the inherent right of aboriginal people to govern themselves and that will lead to negotiations and that will no doubt lead to financial arrangements. Am I clear?

The committee reported progress.

The Assembly adjourned at 4:57 p.m.