

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

Ms. Stanger: — Thank you, Mr. Speaker. I'd like to introduce to you and through you to the Assembly on behalf of my colleague from the Nipawin constituency, 36 grade 4, 5, and 6 students that are here from the Codette School. And they are here with their teachers Ephrem Theoret and Christene Reynolds, 10 parents that are there as chaperons, and the bus driver Mr. Olson.

I will be meeting with you, on behalf of the member from Nipawin, after question period and we'll have some discussion and drinks, and I'd like to ask my colleagues to welcome these students to the Assembly.

Hon. Members: Hear, hear!

Mr. Flavel: — Thank you, Mr. Speaker. I want to introduce to you and through you on behalf of the member from Kinistino, 36 grade 8 students from Bruno Central High and the Cudworth School seated in your gallery, on the west end of it. I understand they have come down this morning, so they've had a long ride already. I'm sure it was a very quiet ride to start with.

They're joined today with their teachers Jake Jmaeff, Jim Bridgemon, and Arlene Julè. I look forward to meeting with them later for photos, and they have a list of questions here that they want answered so we will try and do that for them.

I ask all members to please welcome them here today.

Hon. Members: Hear, hear!

Ms. Murray: — Thank you, Mr. Speaker. Mr. Speaker, it's a distinct pleasure for me this morning to introduce to you and through you to my colleagues in the legislature, two very dear friends of mine, Fred and Irene Schoenroth, who are sitting in the west gallery. I've known these people for many, many, many years and they are just tremendously hard-working people in our constituency. They have a dairy farm just south of White City. And although they tell me that they're sort of retired, I know they work harder now than they ever did.

They're going to spend some time in the building this morning, and I would ask all my colleagues to join me in giving them a very warm welcome to this building.

Hon. Members: Hear, hear!

Hon. Mr. Wiens: — Mr. Speaker, it gives me a great deal of pleasure this morning to welcome to the Assembly a group of 21 students from grade 5 from the Elrose Composite School with their teacher, Donna

Benjamin, and a group of chaperons.

It's always a pleasure to have company from home, and I ask the members to join with me in welcoming this group of people from Elrose. And we'll be meeting afterwards for pictures and drinks and have a chance to talk.

Thank you very much.

Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, I would also like to introduce and welcome the students from the Elrose Composite School in Elrose. Elrose is located only a short 35 miles from my home town of Eston. There's always been a friendly spirit of competition in things like dance classes, hockey, and other sports, Mr. Speaker.

I recognize a few people in the gallery, the west gallery, Mr. Speaker, friends of ours. And I'd certainly like to welcome Betty Mae Leavins and Mr. Trayhorne and Mr. Casey and some of the other friendly faces I see up there, and ask the Assembly to join with me in welcoming them as well.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Saskatchewan Outfitters Association Partnership

Mr. Sonntag: — Thank you very much, Mr. Speaker. As the MLA (Member of the Legislative Assembly) who represents an area with many, many outfitters, it gives me a great deal of pleasure today to announce the recent partnership formed between our government and the Saskatchewan Outfitters Association.

As we are all well aware of the outfitting and guiding industry, they play a major role in the success of tourism in our province. With this in mind, we must remember that tourism in Saskatchewan is on the rise. Tourist inquiries to Saskatchewan are up 36 per cent from last year, while the number of U.S. (United States) residents visiting our province have increased 13.7 per cent from last year.

The goals of the partnership are to pursue common interests on objectives in managing fisheries and wildlife resources, to enhance the quality and range of services provided by the outfitting and guiding industry, and to expand tourism.

Thousands of people outside of Saskatchewan and Canada know us because of their experience with industry representatives. Millions of dollars annually come with them. An independent advisory council sponsored by the Saskatchewan Outfitters Association will be formed to advise government on outfitting and guiding matters and will examine and develop the concept of self-regulation by the industry.

Mr. Speaker, it is through cooperation and communication that help make the outfitting and guiding industries flourish and reach their full potential. We are happy to be working with them in trying to reach this goal. Thank you.

Some Hon. Members: Hear, hear!

Milestone Prairie Players

Ms. Bradley: — Mr. Speaker, I want to mention a group of people I'm very proud to be associated with. In fact, some may say I began my political career by learning many skills with this talented group of people, the Milestone Prairie Players.

This is their 10th anniversary and last evening, their opening night, they had a full, full house, and it was very successful. And just like tickets to Bruce Springsteen concerts, people lined up weeks ago for over 24 hours in line to purchase tickets. And it's a good thing too, because the productions are too good to miss. They have sold out performances for all nine evenings.

Mr. Speaker, these actors are amateur in name only. Their productions have entertained people at home, at the Saskatchewan Drama Festival, at the Regina Performing Arts Centre, and most recently, at the international drama festival in Ireland.

They have received many awards and honours. That is some accomplishment for a group of people who get together simply because they love their craft and want to share it with others, and in the meantime raise some money for worthwhile projects in our community.

The entire community participates in this annual event, which puts on a fabulous meal and great entertainment. The magazine, *This Country Canada*, has done a feature story on the players in the community of Milestone, to be released this spring.

My congratulations to the community of Milestone and the Prairie Players. Good luck in the upcoming drama festival in Weyburn, and break a leg.

Some Hon. Members: Hear, hear!

Gas Exploration in Lloydminster Area

Ms. Stanger: — Thank you, Mr. Speaker. Mr. Speaker, out of the some dark corners here and there we still hear mumblings about the advantage of doing business in Alberta as opposed to Saskatchewan. It struck me as interesting and suggestive therefore that a Calgary-based resource company recently announced its confidence in Saskatchewan. Morgan Hydrocarbons Inc. announced its purchase of drilling rights in the natural gas land north of Lloydminster, in the constituency that I represent.

The company has drilled and tested three exploration wells in this area and has plans for another seven wells before spring breakup. As well, Morgan Hydrocarbons plans to drill 20 to 25 natural gas wells

on its Northminster pool property this year. The company now controls a total of 57 sections of land in the immediate vicinity of the Northminster facility.

Last fall, Mr. Speaker, Bill Trickett, president of Morgan, was widely quoted as saying that Saskatchewan was a very good place to do business, and this recent announcement shows that he is backing his words with active exploration and development in the area of Lloydminster and other areas which will be of interest to some other members.

In late 1993 Morgan announced an oil exploration program for its Rutland pool near Senlac and also for its pool near Smiley, just north of Kindersley. Good . . .

The Speaker: — Order, order. The member's time has elapsed.

Some Hon. Members: Hear, hear!

Heritage Languages Conference

Mr. Kowalsky: — Mr. Speaker, today my pleasure to extend greetings to teachers of heritage languages from across the province who are attending the annual heritage languages provincial conference and to congratulate all of those involved in this organization.

The conference, organized by members of the Saskatchewan Organization for Heritage Languages, will be held today throughout to Sunday in Saskatoon. The title of the conference this year is: language learning, the competitive edge. This is meant to reflect the relevancy of learning languages and the need for gaining knowledge about different cultures so that Saskatchewan can be more successful in trade with countries throughout the world.

Learning heritage languages also plays an important role in understanding and appreciating the 95-or-so ethnic heritages of people who came from all over the world to Saskatchewan.

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 the linguistic skills of many Saskatchewan people.

Mr. Speaker, I hope the participants will find the conference rewarding and a very good — doozheh dobreh, xharashov, mucho bueno, tres bien, koyeskmay dasun, gans goot — learning experience.

Some Hon. Members: Hear, hear!

Saskatchewan Hog Operation

Hon. Ms. Carson: — Mr. Speaker, I would like to make a brief announcement about a new, interesting development project in my constituency. All across Saskatchewan new things are happening in rural areas. Diversification and economic opportunities are becoming the buzz word.

In a small town of Beatty, in my constituency, a group of people have come together to share expertise and to share resources. This group of eight shareholders is preparing to set up a major commercial hog operation. Their corporate title is Saskatchewan Farrowing Partnership Inc. The partnership will begin construction this spring on a farrowing barn to house 640 sows. The dugout and lagoon are already in place.

Mr. Speaker, the partnership has developed a practical and workable business plan. The plan is to build on land provided by Triple E Farms operated by some of the partners. The weanling business will be closed shop with all young pigs purchased by members of the partnership, thus eliminating the need for each member to operate a separate farrowing barn.

They project 300 births a week to be distributed amongst the partners. As well, there will be certain spin-off opportunities associated with this operation.

This business is a fine example of corporate cooperation, of people banding together in their own interests and at the same time creating economic development in rural Saskatchewan.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Judges' Salaries Commission Legislation

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Justice. Mr. Minister, yesterday you introduced legislation which allows your government to break another legally binding contract, repeal valid legislation, and to break the law. The Bill contained a very rare and seldom-used feature called a preamble, which in this case outlines an excuse for having to introduce such a Draconian piece of legislation.

Mr. Minister, we are told that preambles are generally used by governments who are anticipating a court challenge to their Bills.

Mr. Minister, why is there a preamble to this Bill? Are you anticipating a court challenge to this legislation?

Hon. Mr. Mitchell: — We are, of course, not aware of any decision by the judges, or anyone else, to mount a challenge to the Bill although they've been quoted in the media as saying that they're considering it.

I want to tell the member, though, that the inclusion of the preamble was not drawn with the intention of helping the constitutionality of the Bill, but it was to give some context to a Bill which is an unusual Bill, an extraordinary Bill, quite out of the ordinary. And we felt it our obligation to put the case on the record in the Bill itself, to put the context on the record within the Bill itself, against which this Bill is being proposed.

Some Hon. Members: Hear, hear!

Mr. Toth: — Now, Mr. Speaker, Mr. Minister, after reading the preamble to the Bill and reading the preamble to the GRIP (gross revenue insurance program) Bill, something sure seems to be smelly in this area. After reading the preamble, I would say that you have now institutionalized political rhetoric.

Mr. Minister, if you are not expecting a court challenge, and you are confident that your Bill will stand such a test, why have you included a clause which, like many of your Bills — other Bills — takes away the right of individuals to take you to court over this matter? As a matter of fact, it's almost identical to the clause which took away farmers' rights to redress in the courts.

Why do you, Mr. Minister — and your government — feel it is necessary to suppress any legal action against you? Can you explain this to the Assembly?

Hon. Mr. Mitchell: — The decision in this case, as the member well knows, is whether or not we could pay the award; whether or not we could pay the 24 per cent. If we're going to pay the 24 per cent, we simply pay it. If we are not going to pay the 24 per cent, then certain things had to be done and that's what the Bill does. The Bill does no more or no less than is necessary.

Now it makes little sense, it makes little sense to pass a Bill voiding the award without at the same time sealing off the possibility of thwarting the decision of this Assembly to set aside the award, if you allow the same result to happen through legal action. So we simply had to deal with the question of legal action at the same time as we were correcting the problem.

Some Hon. Members: Hear, hear!

Mr. Toth: — Mr. Speaker, again to the minister. Mr. Minister, the question here and the question regarding your Bill is the principle of law. The other day you talked about law and justice. Let me ask you a simple question. If you say you have not broken the law, why do you need legislation which protects you from the law?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — Mr. Speaker, the issue that squarely faces this House is the question of whether or not you're going to pay the 24 per cent. If you decide you're not going to pay the 24 per cent, you've got to go back and amend the legislation; there's simply no other way to do it.

If you are going back to amend the legislation in order not to pay the 24 per cent, it makes little sense to leave open to the judges the avenue of coming through the courts and receiving their 24 per cent that way. That would be irresponsible.

We were very surprised to see you stand in this House yesterday and, in effect, support the idea that judges should be paid 24 per cent in this economic climate.

We're not . . . we don't share that view and we're moving to ensure that it doesn't happen.

Some Hon. Members: Hear, hear!

Mr. Toth: — Mr. Speaker, again to the minister. Mr. Minister, your Bill contains a section which says that every cause of action against the Government of Saskatchewan is extinguished — extinguished, Mr. Minister — with the stroke of the pen.

Mr. Minister, that is simply frightening. Not only are you saying that you can break the law at any time, you are proclaiming that the legal process cannot be brought to bear upon you and your government colleagues. You have said that farmers are getting too much from GRIP so you break their legal contract and then use retroactive legislation to cover your backsides. You are now above the law.

Mr. Minister, I believe you are a lawyer with a wealth of legal knowledge. In fact, your Premier pushed for an inclusion of the Charter of Rights and Freedoms in the '82 constitution. Do you not feel taking away individual rights to redress and breaking valid legal contracts goes against every oath and principle you have sworn to uphold? Would you agree with that, Mr. Minister?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — Now that's a very, very interesting question. It . . .

The Speaker: — Order, order. I think the interruptions are too ongoing for us to hear the question or the answers, and I ask members please to give the questioner and the minister an opportunity to do their work.

Hon. Mr. Mitchell: — Mr. Speaker, implicit in the member's four questions to this point today is the fact that their party clearly believes that this award should be implemented. That was also the position of the Liberal Party yesterday. That is not the position of the government.

Now is the member seriously suggesting, is the member seriously suggesting that we could go back and amend the legislation so that the award is not binding and leave ourselves open to legal action to accomplish the same thing and wind up at the end of the day having to pay the 24 per cent? Get real. The member should get real, Mr. Speaker.

The question here is whether or not we're going to pay the 24 per cent. We have decided we're not and so we have to ensure that at some point in the future some court doesn't tell us that we have to. We don't think we should and we've introduced a Bill to make sure that we don't.

Some Hon. Members: Hear, hear!

Private Members' Bills

Mr. Swenson: — Thank you, Mr. Speaker. My question's to the Premier this morning. Mr. Premier, during this session of the legislature the opposition has introduced a number of private members' Bills dealing with legislative reform. We have tried on numerous occasions to have these Bills debated and put to a vote. So far your government has used its majority to block us on every occasion.

Mr. Premier, we believe that all private members' Bills, those from our party, those from members of other parties, we believe there should be an opportunity to debate and vote on all private members' Bills that are introduced in this House.

Regardless, Mr. Premier, of whether you support or oppose the Bills that are being brought forward, will you provide the democratic opportunity to at least talk about them? Will you see that these Bills and all private members' Bills are debated and voted upon before the end of this legislative session? Would you guarantee that, sir?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, I find the question very unusual, given the fact that in the Rules Committee meeting, at which your members attended, the opportunity was put forward by the members of the government caucus so that the very thing you're talking about could happen on a bi-weekly basis, or every other Tuesday. We had a motion on the floor to bring that rule change to the Assembly, and it was voted down by the caucus that you belong to.

Now rather than attack our government for the fact that that rule change isn't in place, go back and check the minutes, because they're printed minutes from the Rules Committee, at which time our members offered to you that every other Tuesday we would deal with private members' Bills, and your members refused it.

Now this is a little bit confusing when the Leader of the Opposition stands in his place and says we're blocking your ability to bring the Bills forward.

Some Hon. Members: Hear, hear!

Mr. Swenson: — Thank you, Mr. Speaker. And I once again would address my question to the Premier because it was the member from Riversdale who led the New Democrats into the 1991 election campaign, and I presume was the individual taking responsible for a document called *Democratic Reforms for the 1990's*.

Mr. Premier, I've carefully read that document and it says, and I quote:

In a further effort to expand and enhance the role of Private Members and allow public input to the policy making process, all-party select committees (of the Assembly) should be used frequently to inquire into substantive public issues and government programs.

I agree, Mr. Speaker. After reading that, I thought, Mr. Premier, that you would support expanded use of party committees to review things like utility rates, and make appointments to boards and commissions. Maybe if there'd been an all-party commission in place to appoint your judges commission your government wouldn't be in the glue, as it is today, on this issue.

Mr. Premier, why do you oppose, why do you oppose these initiatives, given your party's stated commitment to expand the use of all-party committees? Why is that, sir?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, this gets stranger and curiouser as we go along here.

First of all, Mr. Speaker, the Leader of the Opposition . . . whose desk mate — the member from Morse — was at the Rules Committee meeting at which time the proposal was put by government members that you would be able to bring your Bills forward, he voted against bringing that resolution and motion to the Assembly. You might tap him on the shoulder and ask why he voted that way.

When you talk about all-party committees, the Rules Committee is an all-party committee. You have members on it. The member from Rosthern; the member from Morse are on that committee. They voted against the rule change that would have allowed you to bring private member Bills forward.

So what you might want to do rather than demand that you yourself go through that list of questions is just tap the member from Morse on the shoulder, who's sitting beside you, and ask him why he voted against it.

Some Hon. Members: Hear, hear!

Mr. Swenson: — Thank you, Mr. Speaker. I believe the Government House Leader, the member from Elphinstone, is talking about the meeting where the government members wanted to propose drinking Beep in the House and doing those type of very substantive government reform.

What we're talking about here, Mr. Premier . . . and I address the question to the Premier. Mr. Premier, another Bill we have introduced in this House is one dealing with the idea of free votes. And that isn't unique to the Progressive Conservative Party; that's been talked about by many parties. This would enable members on both sides of the House to express themselves freely in this Assembly on very substantive issues.

It would mean that we wouldn't have the spectacle that we saw yesterday where we had the member from Regina Albert South, former chief Crown prosecutor, province of Saskatchewan, having to run out the door . . .

The Speaker: — Order, order. Order, order. The member knows that that is out of order and I wish he would not refer to members being either in the House or out of the House. Order.

Mr. Swenson: — I appreciate your ruling, Mr. Speaker.

You people were proceeding to bring in a Bill that would break the law. And obviously members feel very strongly about that type of thing.

Now I believe, Mr. Premier, that the extended use of free votes in situations like this would allow all members the freedom to stay in this Assembly and vote their conscience and the will of their constituents rather than having the spectacle we saw yesterday. Don't you agree, Mr. Premier?

Hon. Mr. Romanow: — Mr. Speaker, if I may, I find, as my House Leader has said, that this question period, especially from the very first question but as it goes on, in the words of Alice in Wonderland: gets curiouser and curiouser and curiouser.

He says, the Leader of the Opposition says, in order to allow members to express the wishes of their constituents, allow the free vote. And what does the Conservative and the Liberal caucuses do in this legislature with respect to the 24 per cent increase to judges who are getting paid \$90,000 a year now? They get up and they stand up against the intent of their constituents, and they apply the will . . .

An Hon. Member: — Forty-three per cent raise for a person in your office . . .

Hon. Mr. Romanow: — And the turncoat member from this caucus to the Liberals is chirping from his seat, having taken a 37 per cent increase from the Liberal Party. No wonder Liberals and Conservatives take the 37 per cent and fight for 24 per cent for a group in society that would make \$90,000, and this member's got the audacity to get up and to say that he's speaking in the interests of the people of the province of Saskatchewan.

If you were speaking in the interests of the province of Saskatchewan, you'd be standing up for the single mothers and for the farmers and for the working people, and for all of those who are doing the job of bringing your debt, wrestling it, to the ground. That's what you should be doing, rather than applying the whip. Try a free vote there.

Some Hon. Members: Hear, hear!

Mr. Swenson: — Thank you, Mr. Speaker. I think by the Premier's reaction, he and I both know what the problem is. The problem is that I guess I and a lot of other people in this province, Mr. Premier, give your back-benchers too much credit. Because I honestly believe that some of these people that you have in here would be intelligent enough to sit on an all-party committee and review things such as utility rates.

I honestly believe that some of them — or I did — have the ability to sit down and look at a simple Bill, a piece of government legislation, and come to some conclusions on it. Because that's what I'm talking about, Mr. Premier. And I guess you know them better than I do, Mr. Premier. I guess that's why you don't want to give them that ability. You don't want to give them that ability. You must know them better than I do.

Now, Mr. Premier, why don't you take the leash off them because I think, if given a chance, some of them do have some credibility. Let them represent their constituents in this Assembly. Let them sit on some committees and decide what's going on in this province, Mr. Premier. Will you do that?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, again, the line of questioning is curiouser and curiouser, beyond any credibility. This caucus that we have on this side of this House, Mr. Speaker, is exactly as the Leader of the Opposition has described it. It is intelligent and it is independent. And it debates its issues in caucus and presents its roles in the committees of caucus, and in the committees of the legislature.

You've got a Crown Corporations Committee that is functioning fully. You got a Public Accounts Committee which is functioning fully. The various committees of the legislature functioning fully. Now there is an argument about whether or not you should have a committee dealing with the public utilities review committee.

One of my colleagues says, what did you do with PURC (Public Utilities Review Commission)? You did away with it, just summarily like that. And I might add you did away with it after the Court of Appeal said that what it did — PURC did — was right and you should not do it. You did it summarily. I'm not sure whether you did it retroactively or not, but . . . oh yes, you did it by the same legislation, the very thing that you're criticizing the Minister of Justice for doing now on the 24 per cent salary increase.

Look, why don't you people get real? Why don't you start speaking for the ordinary guy, the little guy? The person who is sacrificing to make this province a better province for tomorrow for his children and their children. Don't stand up for those who've got \$90,000 a year and want 24 per cent on top. Stand up for the farmers and the workers. Stand up for the people. Then we'll talk about . . . (inaudible) . . . for democracy.

Some Hon. Members: Hear, hear!

Establishment of Group Home in Regina

Mrs. Bergman: — Thank you, Mr. Speaker. This question is for the Minister of Social Services. The government has plans to establish a youth group home in a Normanview neighbourhood in north-west Regina. Mr. Minister, would you tell us what

consultations were conducted before a decision was made to make an offer to purchase a home in the neighbourhood?

Hon. Mr. Lingenfelter: — Mr. Speaker, as the Minister of Social Services is not here, and I know this is an issue that he will want to report to you on, I'll take notice of the question and get back to you on it.

Mrs. Bergman: — Thank you, Mr. Speaker. We've been taking notice on a lot of questions in which we have not received information, and I think there's questions that need to be answered.

Mr. Speaker, on March 10 the Social Services minister met with four representatives of the neighbourhood where this group home is to be located. Would the minister tell the Assembly what concerns were raised by the residents?

Hon. Mr. Lingenfelter: — Mr. Speaker, my understanding is that the minister has met with this member on this very issue. And while I'll take notice of the question, my understanding was that . . .

The Speaker: — Order, order. The minister has taken notice.

Effects of Taxation

Mrs. Bergman: — I'll shift my questions to the Finance minister. Numerous studies have been conducted which show that the areas with higher taxes tend to have lower economic well-being. Businesses are more likely to set up in low tax areas and people are more likely to move out of high tax areas. Higher taxes mean less spending and investment by taxpayers in local businesses.

Madam Minister, what plans do you have in place to relieve the tax burden on the people of Saskatchewan to encourage them to stay in the province and improve their economic well-being?

Hon. Ms. MacKinnon: — Mr. Speaker, I would welcome an opportunity to answer the member's question.

If there's one rule of thumb on taxes, the rule of thumb is this: the highest taxes in Canada are in Liberal provinces. The highest basic income tax rate is in the Liberal provinces in the Maritimes; the highest gas taxes are in Liberal provinces; and the highest sales tax, by far, are in Liberal provinces — 10 per cent, 11 per cent in the Maritimes on all goods and services.

Now I'm not about to stand here and be lectured by Liberals about taxes. If you'll look at the governments in Canada that are tax-and-spend governments, they're Liberal governments. And if you look at the most recent budget of the Liberals in Ottawa, again although saying there would be no tax increases, there were tax increases on seniors.

So to the member opposite I would say, before she starts talking about what we do, look what Liberals do

elsewhere.

Some Hon. Members: Hear, hear!

Mrs. Bergman: — Mr. Speaker, Madam Minister, this is the province of Saskatchewan and this is about your economic policies.

The current Economic Development minister was quoted in *Hansard* in June of 1991 as saying:

We've indicated many, many sources where we would see the government saving the kind of money that would make these kind of massive tax increases unnecessary.

Madam Minister, since your government took power, spending has increased. Even SaskPower and SaskEnergy bills came in separate envelopes last month. Tell us today what those sources are where you could stop the massive tax increases you have inflicted upon the people of Saskatchewan.

Hon. Ms. MacKinnon: — Mr. Speaker, we have reduced the tax burden in this province for business. Despite our very difficult financial circumstances, we have reduced the tax rate for small business by 20 per cent. We have taken the E&H (education and health) tax off inputs for manufacturing and processing.

But the Liberal Party has to start coming clean with the electorate of the province. They can't have it every way. They want to reduce the deficit; they oppose our cuts. They have spent over \$300 million since this session started, and they want to lower taxes. This is not credible.

An Hon. Member: — And give judges 24 per cent.

Hon. Ms. MacKinnon: — And give judges 24 per cent. We have to be accountable to the electorate; we have to be coherent and consistent. It's the obligation of opposition parties to be coherent, consistent, and accountable as well.

Some Hon. Members: Hear, hear!

Mrs. Bergman: — Thank you, Mr. Speaker. In 1992-93 the tax increase per family of four was \$1,211. In 1993-94 it was \$878. Madam Minister, it is the middle class families of Saskatchewan that are feeling the brunt of your tax grab. Only 23.4 per cent of Saskatchewan income tax filers earn over \$30,000 a year; however they pay 72 per cent of the total income tax.

Madam Minister, will you be fair and relieve the tax burden on Saskatchewan's middle class so they'll stay in the province?

Hon. Ms. MacKinnon: — The member has to look at this issue in perspective. You would think that it's only the province of Saskatchewan that is faced with fiscal difficulties and it's only the province of Saskatchewan that's raising taxes. It is simply not true. The truth is that the tax increases that have been the highest

increases have been in Liberal provinces.

But again, I'm asking the member to have some coherence here. She supports lowering taxes, they support reducing the deficit, they support more spending, and they support a 24 per cent increase for judges and a 37 per cent increase for their own caucus.

The electorate of Saskatchewan has to start asking them questions. Does this picture fit? They have to be accountable to taxpayers, just as we do.

Some Hon. Members: Hear, hear!

Shortage of Grain Cars

Mr. Goohsen: — Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Agriculture or . . . well perhaps the Acting Minister of Highways and Transportation.

Mr. Minister, officials at CN Rail (Canadian National Railway Company) are refusing to move grain cars through the Bodo rail line. That's near Unity, Saskatchewan. Now there are two elevators on that line which are full of grain. And because the CNR is not running their cars through that line, farmers in the Reward and Cactus Lake areas are having to store their grain on the ground, and they haven't been able to get their products to market.

Now as you know, farmers are desperately in need of some cash flow for spring seeding. Now, Mr. Minister, are you aware of this situation and have you made any submissions to CN Rail and to the federal Liberal government to get these people off of their chairs and working for the grain markets in that area?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, the area the member talks about is one of the many areas in rural Saskatchewan right now that is in need of cars from both CN and CP (Canadian Pacific). And to that end, the Minister of Agriculture last week wrote to the federal minister, and I believe actually wrote to Mr. Goodale, our Saskatchewan cabinet minister, our Liberal minister, to identify for him the severe shortage of railway rolling stock needed to move the vast volume of grain in rural Saskatchewan.

So we are aware of the issue and I'm pleased that the member brought the question forward. I would also offer, Mr. Speaker, in the spirit of cooperation, that if there were a motion put by the members opposite to urge the Liberal government to urgently get cars available for moving Saskatchewan grain, we would certainly support that kind of a motion today.

Some Hon. Members: Hear, hear!

INTRODUCTION OF BILLS

Bill No. 47 — An Act to amend The Saskatchewan Government Insurance Act, 1980

Hon. Mr. Lingenfelter: — Mr. Speaker, I would move first reading of a Bill to amend The Saskatchewan Government Insurance Act.

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

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 46 — An Act to amend The Provincial Court Act and to enact certain other provisions

Hon. Mr. Mitchell: — Mr. Speaker, I rise today to move second reading of The Provincial Court Amendment Act, 1994. Earlier this week I announced the government's intention to introduce this Bill. It will repeal the legislation that requires the government to implement the recommendations of the Provincial Court Commission, recommendations which would result in a 24 per cent salary increase for Provincial Court judges.

I think, Mr. Speaker, it is important for the people of Saskatchewan to know a little about what brings us to this point. As Saskatchewan's Provincial Court was created in 1978, by the legislation creating it, the salaries of the judges of the court were set by order in council. In other words, by the government of the day.

For a number of years the determination of judicial salaries was not a source of controversy. But in the early 1980s it became an issue of growing concern for the judges of the court. As they debated issues involving salary and benefits with the previous administration, they became more and more concerned about the fundamental issue of judicial independence. One of the essential ingredients of judicial independence is that judges have financial security.

To meet this threshold, the Universal Declaration of the Independence of Justice states that the compensation paid to judges must be, and I quote:

... adequate, commensurate with the status, dignity and responsibility of their office, and be regularly adjusted to account fully for price increases.

In 1989, then Justice Minister Lane, when threatened by a lawsuit over salary, provided Provincial Court judges a \$10,000 increase. In addition, the government of the day established the Schmeiser Commission in 1990. This was an independent commission which was appointed by statute. While the recommendations of the commission were not legally binding, Justice Minister Lane indicated at the time that he believed that in virtually all cases the recommendations of the commission would be accepted by the government and the legislature.

Ultimately, the Schmeiser Commission recommended a salary increase of \$14,000, or 15 per cent. Mr. Lane came to the conclusion that such an increase was, and I quote: not in the cards.

The Schmeiser recommendations were not implemented because they were out of line — because they were out of line with the salary increases Saskatchewan citizens were then enjoying.

So, Mr. Speaker, this is the situation which this government inherited in 1991. We inherited a Provincial Court where the judges were frustrated and bitter after years of discussion on this issue. Without wishing to sound partisan, it was just one of the many problems we inherited from the previous administration.

The judges of the court were hopeful that our government would act on the recommendations of the Schmeiser Commission.

We looked at those recommendations, but in 1992 had to tell them that a 15 per cent salary increase was simply too large, considering the financial circumstances in which we found the province. So we said no to Schmeiser.

The judges saw this continuing frustration over salary as a threat to their judicial independence. They suggested a process of binding arbitration to settle the matter. Now there is a history of binding arbitration being used to settle salary disputes here and in other provinces for police, for fire-fighters, for physicians, and for others in the public sector. But this approach had never been used with respect to judges.

(1045)

To accept this process therefore carried certain risks. On balance we decided that we were prepared to accept those risks because of the unique difficulties associated with the setting of salaries of judges.

So in February of last year we formally agreed to go this route and we brought Bill 88 to this House. The legislation provided for an independent commission with the power to make binding recommendations on judges' salaries and benefits.

Mr. Speaker, in this debate you will hear from both of the opposition parties that a binding arbitration process never should have been entered into in the first place, that we should have foreseen the problems we face today. Mr. Speaker, I suggest that those who claim perfection in hindsight should have had the ability to show some foresight on the record in this Assembly when this process was first proposed.

I note that the Leader of the Third Party did not even participate in the legislative debate on Bill 88, and did not even bother to be present to vote on the Bill. When it comes to the official opposition, while they at least showed enough interest to speak to Bill 88, never did they say: don't do this, it's too risky. Nobody stood in this Chamber and voted against this process. If it is the

judgement of the opposition parties today that this process was flawed from the beginning. I simply ask, where were they a year ago?

Mr. Speaker, Bill 88 was assented to on June 22 of last year, and the independent commission held hearings in August of last year. My officials presented a detailed brief to the commission on behalf of the government. In that submission we took the position that Provincial Court judges were already amongst the highest income-earners in the province. In fact less than 1 per cent of Saskatchewan income-earners report incomes of \$90,000 a year or higher.

The salary of Provincial Court judges is approximately double the average income of Saskatchewan families. The government's submission noted that there is no shortage of well-qualified candidates ready to assume office as Provincial Court judges in Saskatchewan. Clearly the current salary of \$90,000 a year is not a deterrent to those seeking judicial office.

Finally, the government's brief suggested that the independent commission consider two points in addition to simple salary to help determine proper compensation for the members of the Provincial Court.

First, the benefits provided to judges must be considered. Provincial Court judges have a generous pension plan, disability benefits, and life insurance benefits.

Second, they have an additional benefit enjoyed by no other sector of society: a constitutional guarantee of security of tenure. While it is difficult to put a dollar value on security of tenure, it must be recognized that judges are guaranteed their salary until retirement or resignation and a pension thereafter. No other group in society enjoys such a benefit.

Our submission to the Provincial Court Commission also stressed that judicial compensation must be determined in the Saskatchewan context. After all, the judicial salaries in question are those of individuals living in Saskatchewan. They are serving a Saskatchewan institution. The financial resources of the taxpayers of Saskatchewan pay their salaries.

This principle was recognized by the Supreme Court of Canada in the *Beauregard* case. In that case, Chief Justice Dickson stated that, and I quote:

Canadian judges are Canadian citizens and must bear their . . . share of the financial burden of administering the country.

For more than two years this government has asked the people of Saskatchewan to make numerous financial sacrifices to help restore the financial integrity of our province. For many the sacrifices have been difficult. But everyone has been asked to share in the effort. We took the position before the commission that that must include Provincial Court judges.

Mr. Speaker, because we put this clear argument to

the independent commission, we were as shocked and disappointed as anyone to see that its report recommended a 24 per cent salary increase. We asked the commission to reconsider its award. They refused. The government was then faced with a difficult choice: to accept a 24 per cent salary increase as recommended by the commission; or to reject the increase, and thereby be forced to change the very law we had introduced in the House just a year ago.

Mr. Speaker, we attempted a third option — we asked the judges to accept a lesser award in the public interest. We asked and they refused. Our options were then, pay the 24 per cent or change the law.

Mr. Speaker, as a general principle, this legislature should be prepared to live with the consequences of the law that it has passed even when those consequences are difficult. However, when the application of those laws leads to an unconscionable result, governments and legislatures must have the courage to act in the public interest.

Mr. Speaker, no one should think that this decision was an easy one for any one of us. As I said in my ministerial statement to the House a few days ago, we were faced with two conflicting principles: to honour a law we had ourselves passed, or to honour our promise to the people of this province to restore Saskatchewan's financial integrity in a fair and just way. At the end of the day we had to choose — pay the 24 per cent or change the law. We chose to change the law.

Mr. Speaker, I came to this decision as the representative of the constituency of Saskatoon Fairview. It is largely a working-class constituency. Many times over the last two years my government has asked my constituents to sacrifice in their daily lives for the greater good; to sacrifice today so that our children might enjoy a better tomorrow.

And my constituents — single mothers and their children, potash miners, students, senior citizens — have all contributed a great deal to turning around the finances of this province. I've sat around many kitchen tables and talked to my constituents about just how difficult some of these sacrifices have been for them. My fundamental commitment to each of them has been the same: the burden of restoring our financial integrity will be shared equally by all. That is only fair, that is only just.

Each of my colleagues has made the same commitment to their constituents. And, Mr. Speaker, in the end, that's how we as a government came to our decision. It was that commitment to fundamental fairness and to justice. How could we give some of the highest-paid citizens of this province a 24 per cent salary increase and ask everyone else to do with less? Introducing this legislation is the only just and fair thing to do.

Mr. Speaker, I move second reading of An Act to amend The Provincial Court Act and to enact certain other provisions.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, once again we see a government bringing in legislation, a government out of control. A government that once again has decided to trample on the rights, the individual rights, and people's rights in the province of Saskatchewan. A government, Mr. Speaker, that does not believe in law and order or justice. A government that does anything for its friends, like Jack Messer or like MAs (ministerial assistant), but if it doesn't suit their purpose, it'll do anything in its power to get its way, Mr. Speaker. And we've seen that in many occasions in the past and now we see it in this legislation once again.

A government that is prepared to give its friends like Jack Messer \$20,000, but takes away the rights of others like the farmers in the GRIP legislation, the civil servants, the Co-op upgrader. And now we see, Mr. Speaker, in this legislation, in the preamble . . . full of reasons to justify its actions, Mr. Speaker.

The former minister of Agriculture and the current Minister of Justice, and I say current because I don't think he's going to be the Minister of Justice for much longer, Mr. Speaker, have a lot in common when it comes to this issue. He lost his job, he lost his job over the GRIP debate, Mr. Speaker, and I predict that this minister will lose his job as well, Mr. Speaker.

Mr. Speaker, they put a commission in place. The Premier was going to set the pace for all of Canada. That was his goal, Mr. Speaker. Be the holier-than-thou Premier and the hotshot lawyer for all of Canada and set up an independent commission for the people, his peers, the judges of this province, and set out a process for an independent commission to set up compensation packages.

But it failed by one measure, Mr. Speaker. It didn't meet the NDP (New Democratic Party) political agenda — didn't meet the political agenda of the NDP.

One little consideration you forgot in the whole process and that was it. You never for a moment thought that somebody might suggest and do something that you hadn't anticipated. The politics of the debate never were considered. And that's strange coming from a government that lives and dies like you people do on the altar of political expediency.

The same type of legislation as the GRIP. Absolutely the same, Mr. Speaker. If you look at the GRIP legislation of 1991, I believe it was, it takes away the action, the opportunity for anyone to take them to court. Exactly the same type of legislation, almost word for word as the legislation that we see before us, Mr. Speaker.

Almost word for word, with one notable exception. In this legislation, they've had to include one more little thing. They wanted to make sure that no one can even take the members of Executive Council to court. Not only the Government of Saskatchewan, but they want

to make sure that no member of the present or former Executive Council . . . I guess that would protect the Minister of Justice right now, when he loses his job, so that they can't take him to court.

It absolves them of any responsibility whatsoever, because they fear the court system so much, Mr. Speaker. They realize this is unjust. They realize this is against every principle of law and order and therefore that is the reason why they bring forward legislation of this type, to absolve themselves of any kind of responsibility at all.

If it doesn't suit your purposes, change it. Simple as that. If it doesn't suit the political agenda, change it. The machiavellian Premier of Saskatchewan — whatever it takes, it doesn't matter, do it. Just make sure the politics are, in their judgement, right.

That's the way they approach all things, Mr. Speaker. A group of lawless people, Mr. Speaker — lawless people — occupy the front benches of this government. Above the law; that's what they feel. Above the law, ready to break the law, betray even the judges of the province of Saskatchewan, Mr. Speaker. Betray even the judges of the province of Saskatchewan.

Last May the Justice minister quoted the Supreme Court, saying that it was necessary to take the veto power away from government in regards to deciding salaries, pensions, allowances, etc., for judges. And at the time, Mr. Speaker, the Justice minister said:

. . . the focus of (his) amendments (were) to ensure that benefits for provincial court judges and the method of determining those benefits adequately respect the independence of the court and the (justices) of that court.

In *Hansard* May 25, of 1993, Mr. Speaker. And that:

The fact that an independent commission with the ability to make binding recommendations will be considering matters of judicial compensation will help (will help, Mr. Speaker) to ensure that judicial independence will indeed be preserved.

Again May 25 of 1993, *Hansard*.

Mr. Speaker, the Minister of Justice even quoted from the Supreme Court in his second reading speech.

The essence of such (financial) security is that the right to salary and pension should (not) be established by law and not be subject to arbitrary interference by the Executive in a manner that could affect a judicial independence.

Again from *Hansard*, May 25, 1993, Mr. Speaker.

Mr. Speaker, this government then found themselves at that time being warned — being warned by the official opposition, primarily the member from

Moosomin, Mr. Speaker. Primarily the member from Moosomin was the spokesperson for the official opposition; warned the government about the veto power. And once again . . .

The Speaker: — Order, order. Why is the member on his feet? By his desk, and the Speaker doesn't know whether he wants to get the attention of the Chair or . . . I think he did.

Mr. Boyd: — Mr. Speaker, the official opposition warned the government about the veto power and once again the NDP chose to ignore that advice. We questioned the minister as to the possible presence of lawyers on this commission and the minister said:

Lawyers are in a bit of a compromisable position because they are members of their firm, appear before Provincial Court Judges from time to time.

In *Hansard*, June 9, '93.

Then appointed lawyers to the commission anyway. They were warned about it, even acknowledged the warning, Mr. Speaker, even said themselves at the time that they felt that people in the legal profession maybe should not be on that commission; that they may find themselves in a position of being in a compromised position, Mr. Speaker. But they did it anyway.

What happens now that the recommendations aren't what the NDP say, Mr. Speaker? Well we'll just have to change the law. We'll just have to break the law. We'll just have to do whatever's necessary.

Just as the member from Rosetown-Elrose did in the GRIP debate, if you recall, Mr. Speaker. He said, we'll get around it somehow. We'll just have to get around it; we'll do whatever it takes. Doesn't matter, we'll break the law if necessary. We are above the law. We can write the law. We can change the law. We can do anything we want with the law. But is that, Mr. Speaker . . . does that uphold the principle of justice? And I say no, it doesn't, Mr. Speaker.

Ordinary citizens cannot pick and choose which laws they choose to follow, Mr. Speaker, and which ones they choose to ignore, Mr. Speaker. Ordinary people, the people that the Premier of Saskatchewan always stands and says he is the greatest defender of in the province of Saskatchewan, ordinary people, he thumps his desk and says. But the ordinary people of Saskatchewan cannot break the law, Mr. Speaker. Only the member for Riversdale and only the member . . . the Minister of Justice, Mr. Speaker, can break the law in the government's view, Mr. Speaker, and get away with it. Because they're above the law, Mr. Speaker.

Familiar words from the members opposite. What about other situations — the GRIP contracts, Jack Messer, upgrader, civil servants, provincial sales tax exemptions on the border, Moose Jaw Woolco decertification, MA pay raises? Some up to 40 per cent

in additional pay raises this year.

And I want to touch on that a little bit, Mr. Speaker. The government, they wrap their whole case, they wrap their whole case around 24 per cent, Mr. Speaker. And yet on one hand they feel that that's too much; on the other hand they've got MAs, people working in political jobs in the offices of the Premier and the Minister of Justice and other ministers of the Crown, Mr. Speaker, and they give them 42 per cent raises in some cases, Mr. Speaker.

And somehow or another, the people of Saskatchewan are supposed to accept that, Mr. Speaker. Somehow it's okay for members of the NDP Party and political hacks to get big, fat raises. But when it's the other folks, the ordinary folks or anyone else, the ordinary folks like the farmers, Mr. Speaker, it's somehow different.

When it's the ordinary folks like the people that work at the upgrader, when it's the ordinary folks like other civil servants, or the ordinary folks out at Moose Jaw that want decertification votes, Mr. Speaker, when it's those ordinary folks, it's different.

When it's ordinary folks . . . there's ordinary folks that they believe in the NDP philosophy and then there's the rest of us, Mr. Speaker. And if you fall into that latter category, you're not so ordinary any shape or form any more, Mr. Speaker.

Mr. Speaker, what about the future of binding arbitration in the province of Saskatchewan? What about the future of binding arbitration in the province of Saskatchewan? Who's next? Who's next, Mr. Minister of Justice and the Government of Saskatchewan? Who's next? Who next do you feel that you have to take from them what is not rightfully yours, this government feels, Mr. Speaker. Who's next?

Will we go after the education system? Will we go after civil servants again? Will we go after the farmers again? Will we go after . . . who next, Mr. Speaker?

Mr. Speaker, what about the effects such decisions will have on future investment or those looking to do business in Saskatchewan, Mr. Speaker? What about the effect on that? Can you imagine, Mr. Speaker, anyone wanting to come to Saskatchewan, knowing full well that they can sit down with the Government of Saskatchewan and sign a contract, and then the next day if necessary, the next day if necessary, if this government deems it's necessary, they will take that contract and rip it up and thumb their nose at them, Mr. Speaker.

That's what they've done to the judges; that's what they've done to farmers in Saskatchewan. That's what Jack Messer has done to all of Saskatchewan, Mr. Speaker. That's what they did to civil servants, and that's what they continue to do to the people of Saskatchewan, Mr. Speaker.

Mr. Speaker, when it comes to things like Jack Messer

there's no problem. When Jack Messer has a fly problem, there's no problem. The Government of Saskatchewan can deal with that; they can deal with that all right. Slip him a nice little cheque for \$20,000 and everything's fine, Mr. Speaker. Do whatever's necessary and then almost . . . It astounds me at the way this government operates, Mr. Speaker. Slip Jack Messer a cheque for \$20,000 and almost the next day bring in legislation to stop anybody else from doing something similar, through the changes to the agriculture Act or nuisance of odour legislation, or whatever it was called, Mr. Speaker.

Whatever it takes, if it's Jack Messer, it's fine; if it's MAs, it's fine; if it's everyone else, we'll do whatever we have to do suit our own purposes, Mr. Speaker, to suit the agenda of the NDP.

And I think, Mr. Speaker, I think what happened is, they did one, simple little thing. They got the party apparatus together, went out and did a little quick polling. We know that they did some polling, Mr. Speaker. There was lots of people called our office and asked about it, told us what the questions were, all of that sort of thing.

And the political consideration outweighed anything else. It didn't have anything to do with the amount or anything else. The political consideration was the only consideration, Mr. Speaker.

And they know that 24 per cent is excessive, and the people of Saskatchewan agree that 24 per cent is excessive. And so the politics dictates the action, Mr. Speaker, even if it means, even if it means breaking the law, Mr. Speaker. Even if it means that. A government that's above the law.

Mr. Speaker, I wonder, as a lawyer, as a lawyer in the province of Saskatchewan, how the Premier feels about this decision. How the Justice minister, who's a lawyer in the province of Saskatchewan, feels about this decision. How all of the other lawyers feel about the decision to break the law in the province of Saskatchewan.

Mr. Speaker, we know very well. Your back-benchers have told us, Mr. Speaker, that there was tremendous and heated debate within your caucus. This wasn't a cabinet decision. This wasn't the Minister of Justice's decision. Each one of the members of the NDP caucus had input into this law-breaking, Mr. Speaker. Every single one of them sit in their places, in their caucus office, and they had an opportunity to stand and speak on this issue. And there was heated debate. And then they voted.

And I'd like to know the outcome of that vote, Mr. Speaker, because I understand it was close. Real close. But my guess is, at the end of the day, the political consideration was the only consideration that was taken into account, Mr. Speaker.

Mr. Speaker, in the response to their action, Mr. Speaker, has been swift and it's been strong and it's been nothing but condemnation for the Government

of Saskatchewan.

Mr. Speaker, the lawyer representing the judges, Si Halyk, said:

Contracts and laws appear to be of no effect if the government decides they no longer suit their own purposes (Mr. Speaker).

And I agree with him, Mr. Speaker. I think that was the consideration. I think that was the consideration.

And Mr. Si Halyk went on to say:

The principle of government having to follow its own laws was sacrificed on the altar of political expediency . . . (Mr. Speaker).

That's exactly what happened. And the judges understand that and the people of Saskatchewan are beginning to understand that, Mr. Speaker. And the academics in the province of Saskatchewan are agreeing, Mr. Speaker. Mr. Halyk went on to say . . .

. . . the justice minister has breached a contract with the judges' association and ignored the government's own law . . .

. . . provincial court judges have solid grounds for a lawsuit against the government.

"I am surprised. I think above everyone else, (the Justice Department of Saskatchewan) should show some leadership in upholding the law."

Mr. Speaker, and that's what Mr. Howard McConnell said from the U of S (University of Saskatchewan), Mr. Speaker.

He said that of anyone in the province of Saskatchewan, the one that should be standing up and setting an example for everyone should be the Minister of Justice. He should be the one that follows the letter of the law every single time, Mr. Speaker. It should not be him that sets the example of breaking laws in the province of Saskatchewan, Mr. Speaker. But yet that's what he's chosen to do, Mr. Speaker.

Everyone else has to obey the laws, Mr. Minister. We're all going to be going home here this afternoon sometime, Mr. Speaker, as the week ends, Mr. Speaker. We'll all be travelling the highways of our province, Mr. Speaker. What happens to us as ordinary people, Mr. Speaker, if we decide to travel the highways of Saskatchewan at an excessive speed? We are stopped, we are fined, we go to court, and we pay, Mr. Speaker. That's exactly what happens.

There's no way of changing that, Mr. Speaker, unless the Minister of Justice now feels that maybe that's appropriate that we bring speeding tickets to him or we bring other little nuisance problems we have, parking tickets, and he'll fix them.

Maybe that's what he is, now. Maybe he's prepared to

fix anything that gets in the way, little nuisance things for members of the legislature, Mr. Speaker. Anything that gets in the way of the business of the government of Saskatchewan, maybe he's prepared to fix it. Probably wouldn't fix for the opposition. I wonder if he'll fix it for the back-benchers of his caucus, Mr. Speaker.

The government is above the law, Mr. Speaker. The government should not be above the law, Mr. Speaker. The government should obey the law. They set up this thing, they made the mess, they were warned about the situation, and now they have to live with the situation, Mr. Speaker.

And I agree with the Leader of the Opposition when he says that the minister should resign, Mr. Speaker. And I think academics and political columnists all over this province agree, Mr. Speaker. The minister should resign. He made the mess, he did what he felt was the right thing, but unfortunately he broke the law in doing that, Mr. Speaker, and he should resign, Mr. Speaker.

Mr. Speaker, this is such an important question I think that a lot of people want to have input into this. There's people all over the province of Saskatchewan that are calling and writing and all of that sort of thing, Mr. Speaker. People feel very strongly about the principle of law in the province of Saskatchewan. And I think it's important that we have an opportunity for as many people to have input into this legislation, this Draconian type of legislation, Mr. Speaker. And for an opportunity to allow that debate to go on, Mr. Speaker, and for people to have input into that debate, Mr. Speaker, I move that the we now adjourn debate on this Bill.

Debate adjourned.

(1115)

COMMITTEE OF FINANCE

Motions for Interim Supply

Hon. Ms. MacKinnon: — Thank you very much, Mr. Chairman. I'd like to first introduce the officials with me. Sitting next to me is the deputy minister of Finance, John Wright. On my left is Bill Jones, the associate deputy minister of treasury and debt. Behind John is Craig Dotson, associate deputy minister, budget analysis division. And next to Mr. Dotson is Larry Spannier, executive director, Treasury Board branch.

Before I move my motion, I'd like to say just a few words about the process that we are about to engage in.

One of the highest principles of democracy is the idea that elected representatives have the sole right to determine how our tax dollars are spent. That's the reason we bring a budget into the legislature and allow all parties in the legislature, through the estimates process, to debate the budget in a line-by-line, very detailed way. And I want to

emphasize the fact that it is during estimates that the detailed debate on the government spending occurs.

I'd like to make a comment as well about timing. One of the commitments of our government is to bring in timely budgets. This budget which was brought in to the legislature February 17 was one of the earliest budgets to be laid before the legislature in the history of Saskatchewan.

Some Hon. Members: Hear, hear!

Hon. Ms. MacKinnon: — One of the purposes of bringing in an early budget is it gives the opposition the opportunity, if they so desire, to pass the whole budget before the year end, which is March 31.

But we are still debating the budget in the legislature through the estimates process, but the year end for 1993 is occurring. The year end will be March 31, 1994, and we will not have legal authority to pay out money to groups like health care groups, educational groups, social services groups. So as of April 1 the government will have no legal authority to pay out money to hospitals, schools, and other organizations.

So all this process is doing is giving leave to the government to pay out one-twelfth of the budget, to pay out the spending for the month of April, to ensure that these groups get their required funding and so that we can continue the process of debating the budget in a more detailed way through the estimates and eventually passing the budget.

So with that introduction, Mr. Chairman, I would:

Resolve that a sum not exceeding \$358.423 million be granted to Her Majesty on account for the 12 months ending March 31, 1995.

Mr. Martens: — Thank you, Mr. Chairman. Madam Minister, as is usually the habit, we would like to have a list of the various agencies of the departments and branches of the departments that are going to be paid. And we'd like to have a copy of that over, and I'd appreciate very much if I could have that. And then we will begin to discuss some of the areas that we want to get into in relation to this appropriation resolution.

Hon. Ms. MacKinnon: — Yes, Mr. Chairman, I'm sending the lists over.

Mr. Martens: — Madam Minister, there are a number of areas that I'd like to talk about. You raised the point of why you brought the budget forward early. And I'm going to point out some of the reasons why I think you did. They're not exactly the same as what you suggested. I think that it was good of you to have brought the budget as early as you did so that we could talk about it during the whole part of the session; I think that that's credible.

I want to say also that there are a number of other reasons why you brought the budget forward early. The big headlines in the budget said: no new taxes, no

new taxes. But underneath, Madam Minister, there were many new taxes. Underneath there were taxes imposed last year. Underneath there were impositions of taxes that are ongoing and that as we speak, Madam Minister, these taxes are being applied in an ever-increasing amount.

Saskatchewan becomes the highest-taxed province of individuals in Canada. And you're going to go back to your book and say, oh, these people here earn this amount of money and they have this many taxes to pay, and you will pick and choose every one of these and say, well we are the least-taxed people in the province of Saskatchewan.

However, Madam Minister, in reviewing all of the taxes, Saskatchewan people and the people in this province pay taxes to the governments, whatever stripe they are, the longest period of time of any people in the country of Canada. We pay taxes, we pay . . . into the middle of July we pay taxes, so that the people of this province can . . . well their income is reduced, their capacity to make investments is reduced.

All of these things, Madam Minister, are the actual facts. The facts of the matter are that the people of the province of Saskatchewan pay taxes longer than any other province in Canada. Madam Minister, we go till the middle of July before we get done paying the taxes in this province. That's the tax-free day. That's the day that we finish paying taxes. And that isn't the only thing I want to point out.

I have a pamphlet here that comes from Peat Marwick, and I went through some of the items that deal with taxation and the volumes of dollars that taxation draws and will draw to this province because of the federal budget . . . (inaudible interjection) . . . And now the member from Rosemont wants to get in. Why doesn't he leave the room if he wants to talk to somebody and allow me to speak to the Minister of Finance?

The area, Madam Minister, the area that we need to deal with is: how many taxes were imposed by you indirectly through the role of the federal budget? The federal budget came out after yours and the real reason why you wanted to have the budget early is to get ahead of the federal budget so that nobody would realize that you had piggybacked tax increases on the federal budget. That's the real reason.

And I can list some of them. One is the change in the \$100,000 tax on the capital gains exemption. It's gone or reduced and going to be gone and that, Madam Minister, is going to increase the volume of taxes paid to Saskatchewan. Madam Minister, the employer-provided life insurance benefits are going to be taxed. That's going to increase the taxes paid to the province of Saskatchewan.

Madam Minister, the age credit for those over 65 is also going to increase the cost to the people of the province of Saskatchewan, and that cost is going to be giving you more income in the province of

Saskatchewan. The home-buyers plan is also going to increase the volume of dollars that this province is going to collect. Madam Minister, the meals and entertainment . . . now I agree with the federal government cutting it back, but what is it going to do? It is going to reduce the capacity of businesses to use that as a deduction and that, in turn, is going to increase the taxes paid to the province of Saskatchewan.

Madam Minister, the debt forgiveness for write-offs that have occurred — that's going to increase the amount of dollars paid to this government in taxes. And, Madam Minister, that is one, two, three, four, five, six — I've listed six different places that the Government of Saskatchewan is going to increase the tax grab on the people of the province of Saskatchewan because of the federal budget. You're going to get more taxes from that and the reason, I believe, that you put this budget ahead of the federal budget is that so you would have the people perceive that there were no new taxes, Madam Minister, but they're going to be caught. And that's six.

Going on from there, the investment tax credits, mining reclamation — all of these are going to impose new taxes, Madam Minister. And that's the reason why you brought the budget in ahead of all of the other budgets. That is the real reason, Madam Minister, because you didn't want us talking about the tax increases that you were going to impose because of the federal budget. So you brought it in ahead of the other. And now we know the rest of the story, Madam Minister; that's the real reason why you brought this budget in ahead.

What we're going to find out in our estimate questions from you, Madam Minister, is what all the benefits are going to cost the taxpayers and what you perceive to be benefits to the people of Saskatchewan, and in the comments of no new taxes, is not legitimate to say to the people of this province, Madam Minister.

We're going to ask you the questions on every one of these. How many dollars are you going to receive as beneficiaries of the federal budget? And that, Madam Minister, is going to be fairly, fairly significant.

And we will want to know what those dollars are. That's the real reason, that is the underpinning, that's the real reason why you brought this budget in at the time that you did — early — because the federal government were going to tax and remove this. And so you are going to get the benefits of these increased taxes.

And that, Madam Minister, is the real reason why you brought this budget in early. Not that it was going to convenience some of the opposition to pass the budget before March 31. No, Madam Minister, that wasn't it at all.

And I wonder if you would have some response to us on the real reasons why you brought this budget forward, not the one that you mentioned earlier.

Hon. Ms. MacKinnon: — Mr. Chairman, I'd be very pleased to answer some of the comments made by the member opposite. I think a government that brings in an early budget should not in any sense feel apologetic. The earlier the budget gets into the legislature, the more time there is to debate the budget before the year end occurs.

If there was any other reason besides our commitment to democratic reform and ensuring that budgets are brought to the legislature as early as possible, the other pressing reason this year were the health boards. This is the first year in which funding will be paid directly to the district health boards out there. And I certainly had representations from them that they needed to know their numbers, not just for this year, but any numbers that we could give them in this budget with respect to the next year, as early as possible.

So we wanted to be very responsive to their desire to get their planning under way as soon as possible.

Now I'd like to make a few comments about no new taxes in the budget. What we said last year when we brought out the balanced budget plan for the province was, this is the plan that we need to put in place in order to balance the budget of the province. The plan includes all of the major cuts and all of the major tax increases required to achieve that goal. Now some of these changes announced last year came into effect this year, and we've made that clear. We did not hide that from people last year — last year.

I'd like to say a word though about the tax load in the province of Saskatchewan because members opposite go on and on about the tax load using information that is not reliable. One member opposite — I don't know if it was this member or the Liberal member — went on about Saskatchewan has the highest tax load in Canada. This information comes from the Fraser Institute, and I want to really point out the methods used by the Fraser Institute. When they talk about the tax load in Saskatchewan, what they . . .

An Hon. Member: — I didn't talk about the Fraser Institute.

(1130)

Hon. Ms. MacKinnon: — Well they're the people who determine what tax-free day is. What they use, the Fraser Institute, in determining taxes, is not just the education and health tax and income tax. They include all resource revenue that is levied in the province of Saskatchewan. I don't think anybody believes that resource revenue is a tax burden on an individual; it's a corporate tax.

I'd also like to point out another group that we checked very carefully into what their methods are — the Association of Saskatchewan Taxpayers. They came out with some figure about the tax load on Saskatchewan families has increased by some dollars. What they did was even more incredible. They took all of the revenue coming into the government of

Saskatchewan and divided it by the number of people in Saskatchewan. So what they were including as taxes was not only resource revenue paid not by individuals but by resource companies, corporate taxes paid not by individuals but by corporations; they were including transfers coming from the federal government, equalization payments, other payments to support education and health care.

What I would say about taxes is this: nobody likes to raise taxes, but all governments in Canada, because of their fiscal situation, have been forced to do this. And as I pointed out in question period, it's the Liberal governments that have the highest tax rates across the piece.

But there are certain sorts of taxes which we do not have in Saskatchewan. Alberta says they didn't raise taxes in their recent budget. What they did instead was increase health care premiums. Well from my point of view, taking a health care premium from an individual is the same as taxing the individual. We do not tax essentials in the province, like children's clothing. We have the narrowest tax base of any province that has a sales tax. We tax the fewest number of items. And we do not have payroll taxes, as do many other provinces.

And I would like to read into the record the fact that for a family living in Saskatchewan, the \$25,000 a year income, this is the second cheapest place in Canada to live. For a family at \$50,000 this is the fourth cheapest place in Canada to live. For a family at \$75,000, this is the fifth cheapest place in Canada to live.

And I would refer the member opposite as well to the Manitoba budget in which they compare cities across Canada. And the income level there they're looking at is a family with an income of \$40,000. And Regina turns out to be the third cheapest city in Canada in which to live.

Final comment here about taxes. When you look at taxes you have to look not only at the taxes levied by the province, but the impact of provincial taxes on city taxes. I notice the city of Saskatoon recently putting out an ad saying one of the attractive features of living in the city of Saskatoon is its very low tax rates. Its tax rates were already lower than Calgary or Edmonton.

And what occurred to me is if the city of Saskatoon already has low tax rates, what's going to happen three years from now when the Government of Alberta will be entirely phased out of providing any revenue sharing, any grants to those cities, to the major cities in Alberta. Surely the local taxes in those two cities are going to go up even further.

So, Mr. Chairman, I would conclude by saying we make no apologies about bringing in an early budget. We're quite proud of the fact that we bring timely budgets to the legislature. We believe that every government in Canada — and particularly, as I say, the Liberal governments have a troublesome record here — have raised taxes. We believe that our taxes

are as fairly distributed as a province can distribute them. It's the federal government that has to talk about reforming or making the tax system more fair.

And with respect to the federal budget, any gains that we made on the tax side are offset by losses on the unemployment insurance side. If you look what's happening across Canada now where people are beginning to protest the federal government's changes in unemployment insurance, it's because it is very adversely affecting many, many people in Canada. And sadly, some of those people who are now on unemployment insurance are going to end up on our welfare rolls and our costs will unfortunately be going up.

So with that introduction, I'd be pleased to answer any other questions.

Mr. Martens: — Would you be able to point out to me, Madam Minister, all of the areas where you did not have one-twelfth, where it was a variation from the one-twelfth of the . . . for this Appropriation Bill.

Hon. Ms. MacKinnon: — Mr. Chairman, yes, I'd be pleased to answer that. There are no variations. They're straight one-twelfths.

Mr. Martens: — Well under Executive Council, the electoral expenses, there is none being paid out. Is there a reason for that? Are all of the rest one-twelfth or under? Is that what you're trying to tell me?

Hon. Ms. MacKinnon: — Mr. Chairman, yes, member opposite, I'd be pleased to answer that. What it is, is you have to take out the amounts that are statutory; that is, there's a law in place which says you have to do that. Then once you take that out, it's one-twelfth of what's left.

Mr. Martens: — So you take the statutory part out, then you divide by 12, and it will all be that or less.

Hon. Ms. MacKinnon: — Mr. Chairman, yes, it will be that. It will be one-twelfth.

Mr. Martens: — I just want to respond to your reference to the personal taxes and charges for people with income of \$25,000, for those people with incomes — family's income — of 50,000, and families' incomes of 75,000. Well, Madam Minister, there's some things that maybe for statistical purposes should be constant, but for real people, what you're doing is you're saying that a family of 25,000 drives the same kind of car as the one that has a \$75,000 income; a person with . . . or a family with a \$25,000 income has the same sized house as a person with a \$75,000 income. And that, Madam Minister, is what you've done in establishing the average.

And that, Madam Minister, says to me that if you take that straight through and put the \$75,000 family with the same sized house and the same sized car . . . And I would imagine, Madam Minister, as I was campaigning down in Regina North West where I saw three-car garages as almost a norm, that there wasn't a

1987 Caprice Chev standing in one of those doors. There was probably a space for every one of those doors to occupy a car. And that, Madam Minister, is the reality of what you have to do with statistics.

And as I see what you've done here, is you've just made a blanket statement that an '87 Chev is what everybody's driving, and that, Madam Minister, gives you the capability of making those kinds of statements, when in reality, that is not what there is and that is the truth, Madam Minister.

Now I think in order to deal with this in a fairly flexible manner, from our side of the House, we have not got any more questions that we're going to be asking. We're prepared to let it go in view of the fact that what we're going to deal with in the Committee of Finance are the real questions about all of the areas that I've touched on earlier today.

Motion agreed to.

Hon. Ms. MacKinnon: --

Resolved that towards making the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1995, the sum of \$358,423,000 be granted out of the General Revenue Fund.

Motion agreed to.

The committee reported progress.

FIRST AND SECOND READING OF RESOLUTIONS

Hon. Ms. MacKinnon: — Thank you, Mr. Speaker. I move that the resolutions be now read the first and second time.

Motion agreed to and the resolutions read a first and second time.

APPROPRIATION BILL

Hon. Ms. MacKinnon: — I move:

That Bill No. 48, An Act for granting to Her Majesty certain sums of Money for the Public Service for the Fiscal Year ending on March 31, 1995, be now introduced and read the first time.

Motion agreed to and the Bill read a first time.

Hon. Ms. MacKinnon: — Thank you, Mr. Speaker. By leave of the Assembly and under rule 51(2), I move that the Bill be now read a second and third time.

Motion agreed to on division and, by leave of the Assembly, the Bill read a second and third time and passed under its title.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 36

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wiens that **Bill No. 36 — An Act to amend The Environmental Management and Protection Act** be now read a second time.

Mr. D'Autremont: — Thank you, Mr. Speaker. Mr. Speaker, this is an interesting piece of legislation. If you look at the Bill itself, it's a very small, two-page piece of legislation that the government has brought forward, but it does have some impacts that need to be considered.

The first portion of this Act, Mr. Speaker, deals with water, and water is a very important commodity in Saskatchewan. And as we know, throughout our history at times it can be a very contentious commodity. But this Act deals with permitting of changes to water bodies to the shores and the boundaries in which water bodies reside. It deals with the streams and rivers, the creeks that run through our province.

(1145)

This Bill will deny anyone who doesn't have a permit the opportunities to have any impact on a body of water. If you happen to have a slough or, say, your dugout in which you have your water supply, this Bill could have an impact on that. If for some reason you wish to dredge your dugout which you have your farm water supply in, you may need a permit to do that because the Bill reads:

... No person shall, without a valid and subsisting permit authorizing the activity ...

(c) remove aquatic vegetation from the bed, bank or boundary of any river, stream, lake, creek, marsh or other watercourse or body of water".

And I guess the determination all comes down, Mr. Speaker, as to what is the meaning of the term, body of water? How deep does water have to be before it qualifies? How wide, how long, how broad? All of these types of questions, Mr. Speaker.

We've received phone calls from across the province of people who are concerned about this, because they need some more clarifications, Mr. Speaker. They need some more opportunities to look and see what this means; what impact it's going to have on their operations.

Now we also know that management of water is quite a contentious issue in Saskatchewan. We have the situation presently out at Langenburg where people are trying to bring into place a conservation and development area which will manage water in that area; that will allow drainage. It will allow the movements of water from one point to another.

Now when this kind of drainage is done legally, in the proper manner, that's well and good, Mr. Speaker. But when it's not done legally, indeed there is a problem. And part of this Bill, I would have to assume, Mr. Speaker, is trying to deal with that aspect — the illegal drainage of water.

If you're the neighbour living downstream from this illegal drainage, you have a problem. And if the law is in place to prevent illegal drainage, then the person doing it also has a problem. But when the law interferes with the legal operations of a person, such as the maintenance and cleaning of their dugout for their farm use, then you have a problem, Mr. Speaker, with the legislation.

And this is one of the areas in which there's going to have to be very close scrutiny as to what the government means by this, and what kind of regulations they're going to put into place to deal with what is brought forward in legislation.

How is this going to impact on RMs (rural municipality) when it comes time for them to deal with their own duties — the maintenance, say, of roads. They may have a road going through a creek or a slough or whatever the case may be. How is this Bill going to impact on them and what are the additional costs going to be related to this legislation when it affects them? These are all important questions, Mr. Speaker.

The second part of this Bill also deals with the impacts on the general public, and in particular it deals with the impact on mining in this province. The minister here is talking of providing a mechanism by which reclamations and decommissionings can take place in which the mining operation will pay for that decommissioning.

Now I don't believe there's anyone in the province who disagrees with the fact that the people who take the ore out of the ground, who make the profit on it, should not have some responsibility for the clean-up. But it's a matter of how you do that and the time frames in which you do it.

A mine that's been in operation for 20 years in this province, Mr. Speaker, are they going to be asked to put up front the day this legislation is proclaimed, a certain sum of money to pay for the reclamation which may be 20 years down the road? We don't know. In some cases, that reclamation may be a year down the road, and in some cases it may be 50 years down the road. And this is the type of thing, Mr. Speaker, that the minister needs to make clear as to what they're going to do.

If you have a new mine being proposed and you put in place that they have to put up the total sum for their reclamation and decommissioning at the beginning of the operation, you're putting a terrible financial burden on that operation because all of a sudden, before they make a cent out of that mine, they already have to put up front a huge amount of money.

Again I say, no one disagrees with that a mining operation must do proper decommission and reclamations, but they need the time frame in which to accumulate the capital, the assets necessary to pay for that, Mr. Speaker. And that will be a very important part of this legislation — is the matter of how it's implemented and how it's going to be regulated.

Because regulations . . . the government, when they bring forward a piece of legislation, they allow themselves the power to set regulations after the fact. They may even discuss with industry and provide the Assembly with a copy of regulations as they will affect this piece of legislation the day it comes into force. But there's nothing to say, Mr. Speaker, that a week later they don't change those regulations to have a very onerous impact on the people that it's affecting.

And this, Mr. Speaker, is an assurance that we will need from the minister that this type of thing will not be happening, that when the minister is talking about security being put in place by mining operations for decommissioning and reclamation, that it has to be fair and that it has to be within a time frame in which the mining companies can deal with it, Mr. Speaker.

I think these are the questions that the minister must take a look at and be prepared to deal with when it comes up in Committee of the Whole, Mr. Speaker. Thank you.

Mr. Koenker: — Thank you, Mr. Speaker. It's indeed a pleasure to speak to this particular legislation, Bill 36, An Act to amend The Environmental Management and Protection Act, inasmuch as it brings to public policy provision to protect public resources — and public funds, I should also add — that currently are not protected under existing legislation.

And I want to speak first of all about the protection of public resources. With these amendments we are not talking about sloughs on farms, as the member opposite has indicated. We are talking about public waterways, rivers, shore lines, and the sort, where mining companies or other companies might be disturbing fish habitat and fish-bearing, fish-rearing waters, by virtue of their activity.

The federal government has long regulated these kinds of activities that might disturb fish-bearing waters. And now, with changes to the federal legislation, we need to take action here in Saskatchewan to bring our Environmental Management and Protection Act up to date so we can ensure that, with the transferral of responsibility for protection of waters, it can take place on the strength of provincial legislation. And that is what will happen with this legislation.

Saskatchewan currently issues some 700 permits annually to allow waterways, lakes, shore lines, streams, to be disrupted in some fashion by development activities. This legislation will allow for departmental staff to ensure that the activities, development activities, that are taking place are appropriate and do not unduly harm or disturb the

waters — therefore the provision included in the amendments to The Environmental Management and Protection Act. This incidentally brings Saskatchewan in line with other Canadian jurisdictions in this regard.

The second major provision of this legislation has to do with sureties for mining operations, to ensure that a proper environmental clean-up can take place once a mine is closed or abandoned in Saskatchewan.

Presently we have a situation where if a mining company closes down, goes bankrupt, or fails to perform clean-up, the burden of that clean-up falls on the public purse. There presently is no mechanism available for clean-up other than at expense to taxpayers in the event of such bankruptcy.

We feel that that's not good enough. There needs to be changes to the legislation to ensure that Saskatchewan taxpayers are protected, but more than that, that the Saskatchewan environment can be protected. I myself, a number of years ago, was up to Uranium City and saw the old, abandoned uranium mines on the shore of Lake Athabasca. And what a sight it was to see these mines that had been mined out decades ago, still standing without clean-up, without reclamation, without decommissioning.

And that's because there's no provision in the legislation for financial sureties to be in place prior to the start-up of mining operations to ensure that such clean-ups on the back end can be taken care of. This legislation is addressing that situation.

It's a cooperative approach with the mining community. They have been extensively consulted in the preparation of this legislation and they recognize the partnership they have with government in terms of providing public policy that protects the environment and future generations, both with respect to the resource and financial exposure of taxpayers.

And I think I want to say at this point that, as a member of the legislature responsible for public policy, I very much appreciate the cooperation that the mining community has given in terms of working with the government on this legislation to address this problem. It's a cooperative approach that bespeaks a good future for mining in the province and for protection of the environment.

Basically the time to deal with decommissioning of mines, mine sites, is not on the back end alone. We believe, on this side of the House, that those issues need to be addressed on the front end before the mine opens, as the mine is being developed and operating, to ensure that a portion of funds from the operation are set aside to ensure that regardless of the financial solvency of that particular operation there can be appropriate, proper decommissioning and reclamation of the mine site once the mining operation is finished, that the environment is protected and that taxpayers are protected.

And that's why I'm very pleased today to support these amendments to The Environmental Management and

Protection Act. They bespeak a serious attempt by the government to get beyond words about protecting the environment, to take concrete, practical steps to ensure that the environment is protected both with respect to mining operations or other developments that interfere with waterways and also with respect to mining operations and their decommissioning and to ensure that future generations are inheritors of an environment at least as good as what we have right now.

So with that I want to applaud the mining community for their cooperation and their comment on this legislation. Thank you very much, Mr. 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.

(1200)

Bill No. 37

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wiens that **Bill No. 37 — An Act to amend The State of the Environment Report Act** be now read a second time.

Mr. D'Autremont: — Thank you, Mr. Speaker. It's very interesting that the minister would propose this legislation after the environment has come forward and been such an important part of public policy in the last number of years. Environment has been on our minds significantly, and people want more information about the environment. They want to know that the government is protecting the environment to the best of its ability.

And yet this piece of legislation, Mr. Speaker, changes a report from the government which was legally set out to be reported every year on the state of the environment. And, Mr. Speaker, that is important to a large number of the people in the public, people who are particularly interested in the environment. And yet the minister is trying to change that with this piece of legislation, to move away from reporting every year to reporting every second year. And indeed at this particular space in time, the minister is moving that this report, which should have been prepared for '93-94, be moved off till '95. So you'll have a period of actually three years in there, Mr. Speaker, without the report.

And I would think that when the environment is indeed such an important aspect of public policy, that the minister would have presented his report on the state of the environment and have preferred to present that report on a yearly basis, so that people can judge how legislation, how business, how farming, how the general public is impacting on the environment.

And yet the minister is saying no, we don't need to present this report as outlined in legislation every year, but rather we should change it and only report it every second year.

And I know that the minister will likely suggest that other jurisdictions in Canada report perhaps only every five years. Well, Mr. Speaker, the government boasts about being on the leading edge, the cutting edge of environmental legislation, and yet here they are regressing backwards into . . . What they're saying is not as progressive as their own pieces of legislation across the country.

So, Mr. Speaker, I think the minister is taking a wrong turn here in moving to every second year of reporting on the state of the environment rather than every year, as legislation now is.

Thank you, Mr. Speaker.

Mr. Scott: — Thank you very much, Mr. Speaker. I certainly stand to support the amendment to the state of the environment report. As the hon. member opposite indicated, most other provinces do this annual report every two to five years on the state of the environment. And by extending it to two years instead of one year, we're able to prepare a more comprehensive report and perhaps focus in on some real issues. Not to mention the cost of doing the report will be somewhat less if we do such a report every two years.

The real issue though, Mr. Speaker, is not whether there's a report every year. It's what we do and our policies and how the public and everyone else looks after the environment. And in fact the environment should be a part of our everyday decision-making process. And that's what really counts. It's not an annual glossy report with nice words which makes us feel good. It's what we do.

And undoubtedly during the course of a year a number of environmental concerns are raised, and it is far more important for the government to act and work cooperatively with the business sector and the public in dealing with these concerns.

So I certainly support the amendments to the state of the environment report. Thank you.

Some Hon. Members: Hear, hear!

Mr. Trew: — Thank you, Mr. Speaker. I simply want to say a few short words about this matter, and that is that there is no magic to one year, whether it be a report every six months, one year, or two years. I listened very carefully to my friends and colleagues speaking just before me and I very much agree with and wish to attach myself to their statements.

There are some very good things going on in the environment. Indeed early next week there's going to be a release of a *Save our Environment* booklet put together by four radio stations, two major ones in Regina and two in Saskatoon. I look forward to the launching of that *Save our Environment* booklet. And in that, which I've had the opportunity to look over, it's very clear that we must be thinking globally but acting locally.

It's what we do as individuals that will really impact on the environment. And of course what we do collectively has an effect too. But we each have to take responsibility.

I think that going to a two-year report from the minister on the state of the environment will allow for the report to do more in-depth work in some areas, and I think that all of us will benefit from that. And the fact that there may in fact be a small savings in not having to print a report every year, that of course will help the fiscal cause of our province.

So I'm in support of this measure. Thank you.

Some Hon. Members: Hear, hear!

Mr. Koenker: — Thank you, Mr. Speaker. I must admit that on first blush when I saw this legislation, I was concerned. I thought, my goodness, what are we doing delaying the reporting of environmental matters, delaying it from one year to two. On second thought, it's a good idea. I really began to understand and appreciate the logic for this. The member for Regina Albert North just indicated that it will save money. That it certainly will do. Taxpayers will be interested to know that that's one of the rationales for this. But it's not the only rationale alone.

It's the intention of the government to do a better job of environmental reporting through this legislation, to be able to focus on certain environmental issues and deal with them in more detail rather than having to commit departmental time and effort to annually cranking out a pro forma state of the environment report.

The thought is that given two years, the department can focus annually perhaps on a different issue. One year talk about the state of the environment, but maybe focus on forestry. The next year . . . two years later, rather, talk about the state of the environment in general, but focus on fisheries. Two years later maybe focus on air quality, on water, on municipal waste, and so forth.

So that the public doesn't just have a bland, watered-down, generalized state of the environment that anyone could basically give off the top of their head, but maybe has a more soul-searching, informative, factual state of the environment, particularly with respect to forestry and that resource in the province that can provoke some public debate about forestry issues or air quality issues, because people can focus on the state of our water resource or the state of our handling of municipal waste.

So on first blush I had some concerns about this legislation. Thinking about it, I'm fully convinced this is the way to go. It's the direction other provinces are going and it helps us to get beyond mere words to public action, and focusing public attention on serious environmental issues, sector by sector. And that's why I support it, Mr. Speaker.

Motion agreed to, the Bill read a second time and

referred to a Committee of the Whole at the next sitting.

Bill No. 21

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Carson that **Bill No. 21 — An Act to amend The Rural Municipality Act, 1989** be now read a second time.

Mr. Swenson: — Thank you, Mr. Speaker. Mr. Speaker, I only have a few comments on this Bill.

As we all are aware who've been in this Assembly for awhile, that the rural municipalities and the Acts surrounding them have their legislation amended on a fairly regular basis. And it's been historic that no matter who the government in this province is that they do a consultation process with them. And most of these things are fairly straightforward because our local level of government is probably our most effective and efficient when it come to administration of taxpayers' dollars. And I think most people in our province are fairly confident with the level of administration they get at that level.

On this particular Bill we have contacted SARM (Saskatchewan Association of Rural Municipalities) and other interested groups to see if they have any concerns, and I would say that a lot of what concern they did have has been addressed by the government.

There's a few areas, though, that I would like to point out to the minister that I think need to be looked at a little bit more. And before this Bill comes back in committee, I think they are important questions that rural people do have some worry about.

The purpose of the Bill, as the minister said in her remarks, were to broaden the options, the range of options that rural governments have and how they want to sort of govern themselves in the future.

And the question of hamlets, we all know that hamlets in the province of Saskatchewan are under a lot of pressure. We've had cases where hamlets have applied to disband themselves and move into rural municipalities.

The area of resort and resort communities, whether those communities should form their own jurisdictions or whether they should remain in the rural municipality. And the minister has given the assurance that these types of issues are available to rural ratepayers whether they be urban or rural.

It also permits the rural public utility boards to be put in place to establish water distribution systems for rural residents who are not now served by water. These are voluntary associations using water network technology and supply water to rural people. And we just had a report, Mr. Speaker, whereby much of the dugout water in Saskatchewan, for instance, has been deemed to be unfit for human consumption, and it has degraded over the last 10 years particularly, in a significant way.

This is the result of run-offs associated with, in many cases, farm chemicals, fertilizers, and other things in our environment that are affecting groundwater, therefore it's very important that potable water be supplied to our farms and rural communities in a very cost-effective way.

I think given what we have seen from the government so far, there are some glaring examples of where that isn't happening, Mr. Speaker. And I won't dwell on the Melfort pipeline situation today, but obviously that is an ongoing disaster for the government, and it means that there has to be lots of diligence applied to any of these projects in the future to make sure that the mistakes that were made with the Melfort line aren't made in the future; that communities don't get themselves drawn into very expensive undertakings where they then are held at ransom by the provincial government because of some foolish policy where they have to go to union-only tendering or something like that. And I think it's incumbent upon government to do their consultation on these issues so that that type of mistake isn't made.

And the third key feature of the Bill is the authority for rural municipalities to provide fire protection and emergency response services. Rural RMs will now be able to issue fire orders and supply emergency response services and then enter into cooperative arrangements with urban municipalities and Indian reservations to provide joint fire protection.

(1215)

When members of the current government start talking about emergency response teams, Mr. Speaker, rural residents get a little bit squeamish, because unfortunately we've seen the example of the health care initiatives by these people and what form they've taken, where the government comes through with wide, sweeping policy changes.

Instead of having first response ambulance capability in place before you make these sweeping changes and knock out a bunch of hospital services all across Saskatchewan, we've had the reverse situation. And it really has put fear into the hearts of many rural people because the hospital and its capability is gone.

Services have been cut back through budget cuts and the first response is only coming along many months later. And to people in rural Saskatchewan, whether they be in our smaller urbans or out on the farm, it's a scary situation to find yourself miles and miles from the capability of life-saving equipment and people.

So I would suggest to the minister, given that these people worry about offloading, they worry about the proper funding regimes being put in place ahead of time and on a very well scheduled regime, that I would suggest that these issues be explored with the people that represent rural government and that they be able to give the proper assurances in the committee of this Bill that would say that no, we've thought about that; here is the solution.

The solution will be in place before there are any dramatic changes that occur on the legislative side which would preclude rural people from having access to those types of things and rural people being able to control at the end of the day their destiny, as they have done so successfully over the history of our province.

So with that, Mr. Speaker, I would allow others to enter debate.

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

COMMITTEE OF FINANCE

General Revenue Fund Environment and Resource Management Vote 26

The Chair: — At this time I would like to ask the Minister of Environment and Resource Management to introduce the officials who have joined us here this afternoon.

Hon. Mr. Wiens: — Mr. Chairman, I'd like to introduce to you my deputy minister, Mr. Michael Shaw, on my right, the deputy minister of the Department of Environment and Resource Management; on my left, Bob Blackwell, the associate deputy minister in charge of management services.

Item 1

Mr. D'Autremont: — Thank you, Mr. Chairman. Mr. Minister, we had quite a discussion at our last session dealing with underground storage tanks. And I continue to receive quite a number of phone calls from people concerned about the underground storage tank issue.

I notice in Regina that there is a situation developing with an underground storage tank where a company is trying a new method of reclamation. I wonder, Mr. Minister, if you have looked into the various types of reclamations that are available to solve the problem of a leak of gasoline or diesel fuel underground, other than the removal and spreading it on the surface and allowing for evaporation.

Have you looked at and considered any other types of process which would allow ... which would perhaps even be less expensive and do the same or better job, Mr. Minister?

Hon. Mr. Wiens: — Mr. Chairman, my department has a full range of the alternatives under examination.

I just want to correct the member in his statement. I want to correct the member in his statement that soil is being spread on the land just for purposes of evaporation.

The process that's being engaged in is called land farming. And while some evaporation may take place, the purpose of doing that is to allow the micro-organisms in the soil to work on the hydrocarbons and to break them down. And this is to date the most cost-effective method of reducing to an acceptable level the contaminants in the soil in cases where gasoline tanks have leaked.

There are certainly other processes that involve soil removal and treatment in bioreactors and other processes that involve leaving the soil in place, and by steam and other processes, extruding from the soil the contaminants. But these are all very much more expensive processes.

Mr. D'Autremont: — Mr. Minister, if a person or a corporation that has an underground tank that is leaking and they wish to use one of these other methods, you know, perhaps it's less expensive for them to, say, use this steam treatment that you mentioned. Is that an acceptable form of process to recover the pollutant?

Hon. Mr. Wiens: — If there are any technical solutions not yet analysed by our department which would be more cost-effective, I would first ask my department to do an assessment of the process. But certainly if it was as effective or more effective than existing processes, there would be no doubt that they would be approved.

Mr. D'Autremont: — Well, Mr. Minister, in Regina there is a service station site where some type of recovery method is taking place which doesn't include soil removal. And I'm not sure if they're injecting air or if they're injecting steam or what it is. Would this type of a solution be acceptable and be permitted under the current regulations?

Hon. Mr. Wiens: — Mr. Chairman, I can't answer specifically whether current regulations would permit it exactly, and I'll take notice of that question. But I will say that the intent of the current regulations — and if they did not allow such a thing to happen, they would be all amended to allow it — the intent of the current regulations is to mean a certain standard of soil cleanliness as a result of a spill. And any method that could be used to achieve that end and it could be demonstrated to achieve that end would very quickly be allowed by regulation if the current regulations did not allow it.

Mr. D'Autremont: — Thank you, Mr. Minister. If a site is in a class A soil site . . . I wonder if first, when you respond, if you can define what a class A soil site is. But if they're in a class A soil site, if they haven't provided you with a response by April 1 as to what method they will use to do their recovery and protection, what are the consequences of that, Mr. Minister?

Hon. Mr. Wiens: — The class A soil sites have tanks installed in sandy soils that are located within 500 metres of a water well, 150 metres from surface water, or 150 metres from a major underground structure.

With respect to class A sites that have not met regulations by April 1, our department's approach would be to immediately be in touch with the person in violation of the regulation to determine a method by which they could come into compliance.

Mr. D'Autremont: — Thank you, Mr. Minister. What did you mean by a major underground site?

Hon. Mr. Wiens: — Something like a parkade, for example — near a structure to which leaking fluids could migrate and cause a public health and safety risk.

Mr. D'Autremont: — So would this include a residential building that had a basement, or is it something more major than that? I'm just wondering, you know, what . . . A parkade is a fairly substantial building. And I'm not sure if you're talking underground parking or if you're talking above open air parking. Can you give a few examples of what a major underground site would be?

Hon. Mr. Wiens: — Again, Mr. Chairman, I don't have the exact definition of where the threshold is on size in this definition of a major underground structure, but we'll forward that information.

Mr. D'Autremont: — Okay. Thank you, Mr. Minister. I have some other questions dealing with underground tanks, but I'll leave them for another day. I know the minister wants to talk about something other than underground tanks in these estimates.

Okay, Mr. Minister, I do have a test for your employees today. Last year you put out a couple of test sites for waste disposal across the province — one up in the Humboldt area I believe; and one Shaunavon, Climax, Val Marie — somewhere in that area. I wonder if you can give us a report on that project, Mr. Minister.

(1230)

Hon. Mr. Wiens: — Yes, Mr. Chairman, I don't have a recent communiqué from either of the two projects which are operating, but I do know that in the grand plan that they proposed in each case they, in their five-year period — and they're now entering the second year of that period soon — will be doing . . . planning and studying alternatives for location of sites, how to handle specific waste streams for recycling, how to handle special products. And if I were to just reflect from casual information, that they are still in the planning stages and have not yet implemented any specific projects to test some of the various opportunities there are in waste management.

Mr. D'Autremont: — So, Mr. Minister, they're actually not doing any of the collection and separation at the present time; they're not collecting from the larger communities around their area, so they're still . . . it's all in the planning stage at this point?

Hon. Mr. Wiens: — Yes. Each of them of course is still

engaged in their own waste management system that they had. And it may well occur, as it often does when people sit down at a table together, that they may have already engaged in some cooperative exercises that are different than the practices they used to use, just because they're sitting at one table now. So it would surprise me in fact if some of that had not occurred.

But I think in terms of laying out a larger plan and testing some new initiatives, I would say that those would not yet be under way.

Mr. D'Autremont: — Well I'm surprised, Mr. Minister, that it's taking so long to implement this. A number of the communities in my area and neighbouring that area were very interested in becoming a part of this pilot project because of the waste disposal problems in their area where sites had reached their life expectancy. And they're waiting for the information, for one thing, that would be generated by these projects, and they had looked forward to being able to participate in these projects, but other sites were chosen.

I know that the communities in my area were prepared to go ahead as quickly as possible because of their need for waste disposal. And if the people of this province whose disposal sites have reached their life expectancy are going to have to wait for a couple of years for the results to start coming in, I think that's perhaps too long of a time frame, Mr. Minister.

And it would be important that these sites perhaps make a yearly report, rather than two-year report or a five-year report at the end. And it would be important that the sites around the province who have reached their life expectancy, whose RMs are now very concerned with waste disposal on their tax base because they're going to be environmentally responsible for it at some time, if some more information can be passed on to them to allow proper assessment and proper decision-making processes.

Hon. Mr. Wiens: — Mr. Chairman, the member opposite raises a very good point, and we'll be communicating with the pilot projects about some more formal mechanism to report back to others who are interested.

What I would also though want to recognize and encourage more of is the very fact that you . . . the very point that you make about the municipalities in your area. Because I know it's also true in the municipalities in mine — and I've met with them to talk about this — that they actually begin to think, as their existing facilities begin to become filled, that they look at alternatives in managing waste streams; if they were going to site a new disposal site that they might do it collaboratively.

And what I know they have free access to do, and if we need to facilitate the communication, is as they're thinking about what they might do, to contact these two pilot projects to update themselves with the thinking of those two pilots at this point. Because I think the work that the pilots are doing is excellent

work in terms of looking at alternatives, but I know that municipalities are not waiting, as municipalities in our area are and the ones you describe, they are beginning to do some thinking and some planning.

And I know in one of the urban municipalities, not in my riding but immediately on the edge in Outlook, the town council has recently begun its own recycling centre where they have now begun to collect even household plastics and found a market for those. So they are going to be dealing with reducing their long-term waste disposal problems by recycling more and more.

And I think as the communities that aren't involved in the pilot project initiatives do their thinking, if they could keep in touch with the pilot projects, even to ask them some questions that those pilots might explore for them, I think that gets to be the best cooperative mechanism for moving forward.

Mr. D'Autremont: — Thank you, Mr. Minister. Another issue. I had some correspondence with you late last summer concerning a place called Enviroclean which was up in the north-east part of the province, towards that direction.

I'm wondering what happened with that site, Mr. Minister. What was the end result of concerns there that were raised by the owners, by the Environment department, and by myself?

Hon. Mr. Wiens: — Mr. Chairman, I appreciate the question of the member opposite.

The circumstance that followed from the exchange of letters that you and I had was that the company in question did not respond to the opportunities the department gave them to deal with the environmental hazard that was accumulating because of their not dealing with the substances on their property. It resulted in eventually me issuing a ministerial order which was not respected; and the department, as a result, hired consultants and firms to come in and do the clean-up and so the site has now been cleaned up and the company responsible will be billed for the costs.

Mr. D'Autremont: — Thank you, Mr. Minister. When we're dealing with reclamation of solvents, paint thinners from auto body shops, there seems to be a real lack in this province of facilities to handle those types of procedures, particularly the paint thinners out of the body shops, the auto body shops. A number of them, I believe, have their own recycling units on site which can handle a small amount of the product — and that is in the larger auto body shops where they have a fair amount of paint thinner. The smaller auto body shops don't have access to this equipment, Mr. Minister, and there needs to be in place in Saskatchewan someone who does look after these products and does recycle them.

Now has the department given any consideration to that type of permit that would allow this type of reclamation, Mr. Minister? And is there anyone in the

province who is doing it on a larger scale other than just the auto body shops who are doing their own products?

Hon. Mr. Wiens: — Mr. Speaker, again I appreciate the question. There is no comprehensive system in place to provide the kind of collection the member opposite speaks about, and I think this does offer an opportunity for someone in Saskatchewan to do that.

The question always is the framework within which it happens. What I did a year ago — and I'm expecting a report soon — is ask a group of interested public people to examine the question of used oil management.

And I'm expecting a market . . . an industry-based solution to be recommended to me, where the cost of collecting used oil will be part of the price of the product in the end. This is the best form of environmental management, when the full-cycle cost of a product is represented in the purchase price; because when all the environmental impacts are considered in the purchase price, then when you're making your market decisions, you're making an environmental decision as well. So that's the object of the consultation that's going on with respect to used oil.

We are going to follow then, and hopefully the deliberations that are going on in used oil will give us some clear signal about which direction we might want to go with tires and batteries. And clearly the issue you raise about solvents and paints is another issue that needs to follow on that path of substances which need to be dealt with, and need to be dealt with in a way that properly reflects the public cost and ends up with a public safety process.

Mr. D'Autremont: — Well, Mr. Minister, ultimately indeed the public will pay for whatever types of environmental laws we put into place, because if it deals with a commercial operation it becomes a direct cost to them, and they in turn will pass that on to their consumers.

But within the province of Saskatchewan, Mr. Minister, the problems of solvents and paint thinners has been a problem for a long period of time. The Enviroclean situation that I mentioned earlier that you responded to, was an attempt to try and recycle these products. This was one Saskatchewan individual who was trying to take an interest in that opportunity and yet was disallowed from doing so because he couldn't get the necessary permits from the Department of the Environment. If the necessary permits . . . and, you know, things need to be done properly indeed, but the permits also need to be spelled out in a manner that's clear enough for the individual to be able to plan and proceed through logically step by step.

This individual did have a fair amount of product stored on site, I believe, and was trying to get permits through to process it and that was where the problem seemed to develop, was in getting the permits through to process the product to take care of the solvents and

the paint thinners.

He had an agreement in place with a commercial disposal site in Alberta to dispose of the heavy metals that come out of the paint thinners. When you dehydrate the paint thinners, you remove the heavy metals out of it and that's the major pollutant in that product. And he had a . . . not a permit; he had an agreement with an Alberta company for proper disposal but it was the problem of doing the process, getting the permits to do the process, and then transporting it from the site in Saskatchewan to the site in Alberta.

Mr. Minister, what have you done in the past year to look into this problem of those kind of solutions to recycle, to rehydrate the product, to extract the heavy metals and the pollutants and then be allowed to transport them for disposal at another site.

Hon. Mr. Wiens: — Mr. Chairman, I thank the member opposite for raising that issue. The question of how to handle hazardous substances of that sort is dealt with under regulation in the province; sometimes under a number of regulations. For example, they might come under hazardous goods transportation regulations, they might come under fire regulations, they might come under some other . . . health and public safety, occupational health regulations.

What we have tried to do in a couple of areas in the last year is to harmonize our regulatory processes within the province, but also then with the federal government who have their own series of regulations.

And so what we have attempted to do with respect to farm chemical handling, for example, and the underground storage tanks, as you mentioned before, we've tried to bring together a number of regulatory influences into a simpler process.

In order to facilitate that, we've established in the last year a hazardous substances advisory group which examines those issues with us to examine the public policy questions for government with the industry and the public sitting at the table to advise us on that.

So the question of whether the proponent you talk about had difficulty becoming permitted may be a question of him simply not being able to meet an existing regulation.

(1245)

Another official has joined me, Mr. Victor Chang, who's in charge of that area. I'll consult with him, and if I can add anything else to the specifics of the case you raise, I'll respond.

Yes, there is nothing to add to what I've said. There is a regulatory regime that has to be met in order to be able to do these kinds of things and clearly the proponent was not able to meet one element of them. If the member opposite has a specific concern, or the proponent does, with respect to the regulations being

insensitive in order to achieve the objective here, I'd appreciate him communicating with that, or the proponent communicating it, back to my office just to determine that we are protecting public safety but also doing it in the least intrusive way possible.

Mr. D'Autremont: — Well the person in question did have some concerns, at the time, of being able to get through the process; that it wasn't necessarily perfectly clear and the steps weren't all laid out quite nicely for him to proceed through. He thought he had in place the necessary requirements to meet that, and yet couldn't get the permits.

What happens with the products that are currently being collected from the recycling processes of paint thinners and solvents?

Hon. Mr. Wiens: — Mr. Chairman, I appreciate the question. The range of substances we're talking about here is quite wide and, depending on what the substance is and what the contaminant is . . . if they were, for example, old paints, there would be a lead issue; otherwise they might just be solvent issues where redistillation might be appropriate.

There are commercial facilities within Saskatchewan to deal with some substances, but with others the owners of them have to find a disposal site outside of Saskatchewan where there isn't one here. And clearly this continues to be an opportunity for environmental businesses to consider — that there are more and more products that we are aware of that have a negative influence on our environment that have to be dealt with that we could build industries around here to maximize the employment in the province.

Mr. D'Autremont: — Thank you, Mr. Minister. When solvents and paint thinners are distilled and the by-products, the heavy metals, are extracted from them, what happens to them currently in Saskatchewan? Are they disposed of here? Are they shipped out? What happens to them?

Hon. Mr. Wiens: — There are no opportunities for disposing of sludges that have hazardous substances remaining in them here. They would either have to be sent out of province to a disposal treatment facility or to a secured disposal where there is a specific form of storage of the substance to ensure that there is no leakage into the environment.

Mr. D'Autremont: — Mr. Minister, how many secured disposal sites do we have around the province where this product will be collected into? And how much product of all sorts are being stored on those sites?

Hon. Mr. Wiens: — We have no secure landfills in the province.

Mr. D'Autremont: — Mr. Minister, I think we've reached a point of concern here then, if there are no secure land sites, disposal sites. Obviously we have storage sites around the province for toxic materials such as PCBs (polychlorinated biphenyls). I believe

SaskPower stores a fair amount of PCBs on some of their sites. Are you telling me today that those sites are not secure? I think, Mr. Minister, we need to seriously look at this situation.

Hon. Mr. Wiens: — Mr. Chairman, this is obviously a question of the usage of the English language here. A secured landfill is a particular definition of a place where a defined procedure is used to place into a particular form of storage, whether it's a particular clay body or whatever it is — I don't know the technical detail of how that is then constructed on the landfill site — for disposal of certain degrees of wastes that need certain kinds of storage.

Then there is the question of chemical storage facilities or hazardous substances storage facilities — not landfills. We're not talking about landfills remember, secured landfills — not landfills — but now the hazardous substance storage facilities or chemical storage facilities.

And you're aware from our discussions around the same regulations that affect gasoline, the underground storage tanks, that that whole discussion has taken place in the province about the degree of safety that's used in the construction of a variety of sort of chemical storage facilities, many of which would be farm chemicals.

Then as we talked about the hazardous substance, now you elevate the need for public protection one more time. Now you might get into a place, for example, where you need to store old farm chemicals, farm chemicals that are no longer safe to be used, or farm chemicals of unknown chemical composition because the label may have come off.

And now you're talking about the kind of facility that SaskPower has at Boundary dam, where they for their own purposes for storing PCBs have established under very strict guidelines, storage regimes which are constantly monitored and constantly watched, whereby a variety of kinds of hazardous substances can be stored in the long term.

The final stage in that regime is then when you have an opportunity to dispose of this in final form, for example, at a place like the Swan Hills facility in Alberta. Now you can move some of these chemicals from storage into a financially feasible form of final disposition by high-temperature burning in the case of the Swan Hills facility, where the emissions from that are non-contaminating.

So while we began with talking about sludges that would need to be in a secure landfill, that is the piece that we don't have in Saskatchewan. We do have good regulation and many good chemical storage facilities. We have a very good hazardous substances facility in Saskatchewan at Boundary dam. And we don't have a final disposition sort of mechanism that Swan Hills has in Alberta, but we have an agreement between environment ministers in western Canada to work cooperatively on those matters.

The committee reported progress.

The Assembly adjourned at 12:56 p.m.