

The Assembly met at 10 a.m.

Prayers

**ROUTINE PROCEEDINGS**

**READING AND RECEIVING PETITIONS**

**Clerk:** — According to order the following petition has been reviewed, and pursuant to rule 11(7) it is hereby read and received:

Of citizens of the city of Saskatoon humbly praying that your Hon. Assembly may be pleased to cause the Minister of Health to examine the proposal to close emergency and cardiac care at City Hospital.

**INTRODUCTION OF GUESTS**

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I would like to introduce to you and to all members of the Assembly a special friend who's seated behind the rail on the government side, Merv Johnson, who was the MP (Member for Parliament) for Kindersley from 1953 to 1958, is joining us here today. Merv of course in addition to being the MP for Kindersley during that period of time was also the agent general for Saskatchewan and was appointed to that position in 1977.

He as well acted as president of the CCF-NDP (Co-operative Commonwealth Federation-New Democratic Party) for a number of years and many, many other capacities here in the province of Saskatchewan.

I would like all members to welcome Merv here today. Merv and his wife Elaine now are retired, living in Victoria, British Columbia, and I'm sure all members will want to welcome him here today.

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

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker. It is indeed a pleasure today to introduce to you in the west gallery 23 students and their teachers, Allan Hoblick, Gloria Danku; chaperons, Brenda Gorniak, Betty Poley, and the bus driver, Milton Turnquist. They're from Prairie River School, Mr. Speaker, which is a beautiful community in north-eastern Saskatchewan, primarily an agricultural community, but also some logging. And it's a great deal of pleasure that I will have to meet with these students and talk about the Legislative Assembly later this morning.

So I would like all members to join with me in welcoming them here today.

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

**Mr. McPherson:** — Thank you, Mr. Speaker. I would like to introduce to you and through you to the Legislative Assembly today, some 48 grades 7 to 9 students from the Frontier School. And with these

students we have Murray Legge, Mike Puszkas, Jane and Hector Cherpin, Diane Thoring, Roy Ham, Cindy Puszkas, Norm Baker, and Barb Keith. And later today we'll have photos and some discussion about the operations and workings of government. And I wish all members of the Legislative Assembly to welcome them here today.

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

**Mr. Britton:** — Thank you, Mr. Speaker. I too am privileged today to be able to introduce to you some students from the St. George School in Wilkie, and through you to the rest of the members assembled. Mr. Speaker, the students are from grade 7; there's 24. They're accompanied by their teacher, Ms. Bev Barth, and they have five adults chaperoning them. We will be meeting them, Mr. Speaker, after question period.

And as the member from Kindersley mentioned yesterday, we don't get a lot of visitors, so we really appreciate being able to recognize the visitors when they come. And he had a group yesterday; I have a group today. So we're really pleased, from the west side of the province, to be able to do this.

We'll be having a bit of a question period, I think, after photos and some refreshments.

And I would ask all the members to help me welcome these folks from the west side of the province.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. I just want to very quickly join with the member from Shaunavon in welcoming the students from the Frontier area. Not very often that we get students in from the south-west, but more particularly now that our boundaries have changed and in consideration of the fact that the Maple Creek constituency that I now represent will in the future extend down to Frontier, I sort of will take the opportunity to adopt these kids right away and say hello to them.

I met some of them earlier today over at the Imperial 400 — really early. And I now have a little bit of a suspicion of why I didn't sleep so well last night for awhile. Anyway thanks a lot for coming, guys, and glad to see you.

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

**Mr. Scott:** — Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of the Assembly my daughter, Heidi, in your gallery, who does not have school at Indian Head today and has decided to come up here and pick up some pointers on how children should behave in classes.

And I ask members to join me in welcoming her today.

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

**Mr. Keeping:** — Thank you, Mr. Speaker. Mr. Speaker, it's with great pleasure that I introduce to you and through you to the members of the Legislative Assembly 27 students from Carrot River High School in Carrot River. They're on a tour of the legislature today. They're in the Speaker's gallery, Mr. Speaker. And we'll be meeting with them for pictures after question period and a meeting.

I would ask all members here to help me welcome them today to the legislature.

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

**Mr. Martens:** — Thank you, Mr. Speaker. It's a privilege for me to welcome to the Assembly here today, and through you and to the members of the Assembly I want to welcome individuals who'll be new constituents of mine in the very near future. They're Mr. and Mrs. Hector and Jane Cherpin from Frontier and we met them this morning at breakfast and it's not very often we get to welcome them.

They'll probably be going to school in Waldeck, which I want to tell the kids that they're going to a very good school — my kids went there as well. So on behalf of myself, I want to ask the Assembly to welcome them here today.

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

## STATEMENTS BY MEMBERS

### International Day of Families

**Mr. Britton:** — Thank you, Mr. Speaker. Mr. Speaker, I would like to today make a brief statement in support of the International Day of Families. Mr. Speaker, this interests me, I suppose, as much as anyone. I came from a large family and I understand the strength that there is in families.

I also believe that we need to strengthen the family structure in today's world and I applaud the minister. I don't always agree with him, but I agree with you this time, sir, that the International Day of Families is a worthwhile cause. I think I'd like to suggest that all of us recognize this for what it is — a major step forward in going back, I believe, to the fundamental beliefs we used to have in families.

I'll tell you from my experience it's a wonderful thing, to be able to pick up the phone and phone your families in cases of trouble and they're there. It's a reassuring feeling, and I'm sure that all of us who have brothers and sisters and so on will agree with that.

So again, Mr. Minister, I agree with what you are doing here with recognizing the International Year of the Family and I certainly will be supporting any move that you make in that direction.

Thank you, Mr. Speaker.

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

### International Day of the Family

**Mr. Kowalsky:** — Mr. Speaker, pursuant to the comments from the member from Wilkie, I would announce that Sunday, May 15 has been proclaimed by the United Nations as the International Day of the Family as part of the International Year of the Family.

The United Nations has proclaimed that from this year on families will receive worldwide recognition on this special day. This is the first time in history that a single, specific day has been set aside where people throughout the world can celebrate the importance of families.

Saskatchewan is supporting International Year of the Family through its initiatives for children, youth, and families under Saskatchewan's action plan for children. Over \$4.4 million will be provided under the action plan through '94 and '95. Activities and programs initiated during the year will extend beyond 1994 and lead to continued support for strong and healthy families. An information kit about the International Year of the Family has been distributed to the public through the Women's Secretariat.

Family celebrations organized by various community groups will be held in Saskatchewan throughout the year for this first International Day of Families on Sunday. The Interagency Family Life Education Committee is hosting a family fun day at Wascana Park in Regina to provide families an opportunity to celebrate, and we hope that families in many communities throughout the province will be able to participate in celebrations on this newly declared International Day of the Family.

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

### Big River Trade Show

**Mr. Johnson:** — Thank you, Mr. Speaker. Today I am pleased to inform the Assembly about a very exciting trade show and truck rodeo taking place in Big River this weekend, May 15. Big River and District Chamber of Commerce is sponsoring the show. The purpose of the show is to allow the local business community the opportunity to increase their visibility in the community. Last year businesses involved did an outstanding job of presenting their products.

Included in the trade show will be some other fun events. A giant pancake breakfast will kick off the day followed by a logging competition. However without a doubt, the most exciting and anticipated event this weekend will once again be the truck rodeo. This is an extremely popular event for the public as well as the drivers. The inexperienced though need not apply, for last year Les Bueckert from Big River won the competition, then went on to win in the district championships, and the provincial title. And he went with the team from the province of Saskatchewan to the nationals in Winnipeg where he was one of the five to place first in the competitions there.

Mr. Speaker, I urge all visitors and those who wish to

come to Big River this weekend to go, and to enjoy the trade show, logging competition, and the truck rodeo.

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

### Study of Aboriginal Education in Greenland

**Mr. Sonntag:** — Thank you very much, Mr. Speaker. Today I would like to inform the Assembly of some interesting news which relates to my constituency. Shirley Cardinal, a 24-year-old student studying education at Waterhen Lake is travelling to Greenland this August to study their aboriginal education system.

Sixteen students from the University of Saskatchewan's Indian teacher education program will spend two weeks in Greenland to see how Greenland's aboriginal people, the Kalaallit, run their own education system.

The tour will begin in the town of Nuuk, Greenland's capital, at a teachers' training school. They will look at some of the schools in the area and then head 200 kilometres north to Maniitsoq. Here they will witness and join in the culture of the Kalaallit. The education of Greenland's aboriginals has a similar history to that of Canada. The students from Saskatchewan are trying to find out what is and what is not working well and then hopefully incorporate the positive aspects of their system to their own here in Canada. They have already tasted seal, a traditional food of Greenland's Kalaallit people, and have been learning about their language, a dialect of that spoken by the Canadian Inuit.

In 1979, Greenland's aboriginal people attained self-government from Denmark. Since that time their education system has been stressing indigenous culture and language. This trip comes in response to several similar visits to Saskatchewan by students from Greenland in the last few years.

Mr. Speaker, on behalf of myself and our government, we wish Shirley Cardinal and the rest of the students travelling to Greenland the best of luck and success on their fascinating adventure.

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

### Sudden Passing of John Smith

**Mr. Upshall:** — Thank you, Mr. Speaker. Mr. Speaker, today I rise to acknowledge, with sorrow, the sudden death yesterday of John Smith, Leader of the Labour Party in Britain. Mr. Smith, who was 55 years old, died of a heart attack. He was one of the few current Labour members of parliament to have served in cabinet, having been the trade secretary in the government of James Callaghan. Before becoming leader in 1992, he'd been Labour's Finance critic.

Mr. Speaker, I had the pleasure two months ago this week to sit in the House of Commons and watch Mr. Smith question, during Prime Minister's question period, and the response from the Prime Minister,

John Major, at the time showed a great deal of respect for the way he handled his questions.

And Mr. Major said yesterday through *The Globe and Mail*, and I quote:

I think of him as an opponent, not as an enemy, and when I remember him I shall do so with respect and affection.

And that's a great compliment, coming from the Prime Minister; and as I said, as you could see the question period going on, the great respect with which all members treated Mr. Smith.

Former prime minister, Margaret Thatcher, also talked of his courage, his humour, and his fundamental decency.

Mr. Speaker, I would like to acknowledge his passing, send great messages to his family that we're all thinking of them, and for a person who was thought to be the next prime minister of Britain, a great loss to the whole world. Thank you.

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

### Raise the Flag Day

**Mr. Keeping:** — Thank you, Mr. Speaker. Mr. Speaker, I would like to announce to the Assembly today that tomorrow, May 14, is officially Raise the Flag Day in Canada. This is a coast-to-coast celebration which all Canadians can join together to celebrate our country.

This is the third Raise the Flag Day and the second one in which the Kinsmen and Kinettes will be leading the celebrations. This special day was created by the mayors and reeves of Canada three years ago. It was decided last year for the Kin family to join, who were running an event very similar, Mr. Speaker.

We will all benefit from this event as we celebrate the one thing that unites all Canadians. It is anticipated that the 1994 Raise the Flag Day will be bigger and better than in previous years. Festivities are not limited to just raising the flag, but they have a poster contest, essay contest, and picnics.

Raise the Flag Day was created in an effort to strengthen our country. This is a day when all Canadians can focus not on the negative, but on the positive aspects of our land. And we can rejoice in the freedoms, the rights, and the privileges we all enjoy as being a Canadian.

I encourage everyone to be part of the day that we'll be celebrating tomorrow.

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

### ORAL QUESTIONS

#### Labour Legislation

**Mr. Goohsen:** — Thank you, Mr. Speaker. Mr. Speaker, my question today is to the Deputy Premier. Mr. Deputy Premier, yesterday the Saskatchewan Chamber of Commerce took the unprecedented step of calling on your government to fire the Minister of Labour. Now this resolution received unanimous support from chamber members.

Mr. Deputy Premier, the people who create the jobs in this province are saying that the minister has so poisoned the atmosphere for job creation in this province that the only solution is for you to remove him from his post. Mr. Deputy Premier, will you act on the chamber's resolution? Will you fire the Minister of Labour and replace him with someone who will get the work done?

As an act of good faith to re-establish some room for compromise, Mr. Deputy Premier, will you remove him from his job today and get busy with the business of creating jobs in this province instead of destroying them?

**Hon. Mr. Shillington:** — What I said yesterday to the media when they asked me about this, is that such requests are frequently made without any real expectation that the resignation will actually be offered. It is more often a kind of a personal attack. What I said yesterday to the media was that I believe the public are better served if the discussion remains a clash of ideas and doesn't degenerate into a series of personal attacks.

Let me say as well that we have striven to produce a middle-of-the-road package which will enjoy a degree of consensus. I guess the events of yesterday prove that it is a challenging task.

I will also make the prediction here as I've made it before, and that is that in future sessions, they won't be occupied with this. When this legislation is actually up and running, that fact — when they see it in operation — will allay their worst fears.

I'm not in any sense being critical of them. We tend to fear that which we don't totally understand. There's no way they can totally understand it until it's actually operating. But there's no way that we can understand it until it's actually up and operating. I think once it's up and operating, I truly believe that the operation of this legislation will allay their worst fears.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. Well, Minister, seeing as how you're going to be your own cheer-leader and try and start your own fan club here this morning, I'll have to say that that is a stirring defence of your position as minister. But it just doesn't wash with the people because it isn't what the facts are based on. And so I'm going to ignore you because this problem goes deeper into the needs of the government to make some changes.

Mr. Deputy Premier, I address you once more. I only wish, Mr. Deputy Premier, that you and your

government would put as much effort into protecting the jobs of the thousands of Saskatchewan residents whose jobs are going to be lost on account of your government legislation, the labour legislation. I only wish that you would spend as much time defending the 82,000 people who are on welfare, who are not going to be able to find jobs on account of this legislation.

Mr. Deputy Premier, your government and this minister in particular are driving thousands of jobs out of this province. And what is the reason? For what reason? To try and promote harmony between business and labour? Not likely.

Mr. Deputy Premier, when the Saskatchewan Chamber of Commerce is unanimously calling for the minister's resignation, I don't think he's doing too great of a job of promoting harmony. Mr. Deputy Premier, now do you see how badly you are poisoning the . . .

**The Speaker:** — Order, order, order. Does the member have a question? The member has to put his question. All right?

**Mr. Goohsen:** — Yes, Mr. Speaker. What more, Mr. Deputy Premier, is it going to take for you to realize that this legislation must be pulled?

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I want to say that I had an opportunity yesterday to spend about seven hours in Prince Albert with the chamber of commerce attending a question and answer session, giving an address, and working with the chamber; and attended the president's banquet and reception last night. And I have to say to the members opposite that there is in fact a good deal of goodwill between the working group in the government of Saskatchewan and the chamber of commerce.

I want to say as well that the optimism that is building in this province is based on some very, very solid foundations built in the *Partnership for Renewal*, which business was involved in designing, along with labour and the cooperatives.

I understand what the members are trying to do here, understand that they are playing their politics the way they did for nine years in government — that is, put a wedge between working people and business people in order to try to elevate their position politically. I guess I don't blame them; but it's a sad commentary on the situation of the Conservative Party when that is the only possible way they see to revive their political fortunes in the province.

I would say, if you have positive suggestions that would help us work our way through — amendments, for example, to the Bill — let's get on with it. We've been debating the Bill on first clause day after day. If you've got positive alternatives to the Bill, let's get on to committee stage, let's get some amendments in here that are positive in nature, and see whether or not we can get consensus.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. To the Minister of Economic Development, seeing as how the Premier's people won't talk to us today. You gentlemen sat there and laughed as we started our questions today. Your minister, do you realize, laughed at the chamber of commerce yesterday. That's what he did. You all laugh at the people who bring their problems to the Assembly and to this government.

Mr. Minister, you have called the business community ruthless and greedy; you laugh at their legitimate concerns. You have 16,000 jobs lost since you took power as government, you've got 82,000 people on welfare, and the chamber says your minister has an ideological bias against the free and democratic enterprise system on which our current and future well-being is based.

What you are doing, sir, Mr. Minister of Economic Development, is driving a wedge between the people who work in this province and their pay cheques. That's the only wedge that's being driven. And I ask you simply right now, will you go to the Premier and ask him to replace this minister as an act of good faith, fire him, and tell him to laugh no more. Will you do that?

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

**Hon. Mr. Shillington:** — With respect to the member's comments that we called the business people ruthless, what I said in the interview was something that had been repeated to me at virtually every chamber of commerce meeting, and I met with quite a few of them. At virtually every one of those chamber of commerce meetings people would say, the problem, Mr. Minister, isn't it, that there is a very small minority of our industry which are not following the rules; why don't you enforce the rules on them and leave us alone? That was said at virtually every chamber of commerce meeting, and I agree with that.

And in the interview which I did with *The Financial Post*, that comment was made, that the vast majority of business people treat their employees very generously and the problem is a very small minority of people.

I say to members opposite: it isn't us that is sowing discord and attempting to divide worker from management; that's you people. If you want any advice, it is: it didn't work in government; it isn't going to work any better in opposition. Like the proverbial elephant, you seem to learn nothing and forget nothing. It's not a recipe for success.

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

**Mr. Swenson:** — Thank you, Mr. Speaker. Mr. Speaker, the arrogance of the Minister of Labour in this House today is just absolutely unbelievable, given what is happening around him in the province of Saskatchewan.

My question is to the Deputy Premier. Mr. Deputy Premier, yesterday the chamber of commerce, probably the most moderate of all business groups in the province of Saskatchewan, asked for the Minister of Labour's resignation. Today in an open letter delivered to the Premier, the Minister of Finance, and the Minister of Economic Development, we see that their concerns about economic activity and job creation by your government are an abject failure.

And I would quote to you from the letter released this morning, Mr. Deputy Premier. It says this:

There are . . . 12,000 fewer people working in Saskatchewan's labour force than 1991. Net out migration to other provinces and countries has exceeded 24,000 people in the last three years . . . many of them were young people looking for work elsewhere.

In the year to date, Saskatchewan is one of the few provinces in all of Canada where business bankruptcies are still going up . . .

My question to you, Mr. Deputy Premier: why on earth would you bring in this kind of legislation at this time? Surely you can see that you're pouring gasoline on the fire, Mr. Deputy Premier, by doing so.

**Hon. Mr. Tchorzewski:** — Thank you, Mr. Speaker. I would be more than pleased to respond to the member from . . .

**The Speaker:** — Order. There was absolutely no interruption when the Deputy Premier asked his question, and I ask the member from Maple Creek not to interrupt when the minister is trying to answer. Order, order. Order from the member from Maple Creek . . . (inaudible interjection) . . . I don't need that advice either.

**Hon. Mr. Tchorzewski:** — Thank you, Mr. Speaker. Now that you have got the attention of the members opposite, I'll be pleased to respond to the member from Thunder Creek.

And I want to say this: that I couldn't think of anybody more appropriate to talk about net out-migration than members of the former government, during whose term there was a record level of net out-migration of people that this province of Saskatchewan has seen, at least in my lifetime. And that's getting to be quite a considerable number of years.

So I think for the member from Thunder Creek to stand up and talk about net out-migration when in fact the population of Saskatchewan has now stabilized speaks a great deal to the sincerity within which those questions which we are being asked here today are being raised.

I want to say, Mr. Speaker, that on the question of The Trade Union Act and the labour standards legislation, there has been an unprecedented amount of consultation with all of the people who are going to be impacted. And that consultation was led by the

Minister of Labour of Saskatchewan who, unfortunately, some people have decided to personally attack, which I think does not lend much to the argument. But I think that's a tribute to the Minister of Labour and I think it's a tribute to the Minister of Economic Development and it's a tribute to this government on how it conducts itself in bringing forward important legislation.

All of the people have been consulted more extensively than ever before on this kind of legislation. That is the process of this government. That kind of process is going to continue.

And I repeat something that's been said earlier: if members opposite have anything constructive to say other than the kind of things that they're saying here today, let's get on with this Bill so that they can raise them.

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

**Mr. Swenson:** — Mr. Deputy Premier, the letter released this morning, an urgent, open letter to your government, doesn't say that. It doesn't say that at all.

I'm going to quote to you again:

Faced with these tough economic conditions, we are very concerned about the added uncertainty and uncompetitive climate that may be created by the Government's new labour laws. We fear that your new legislation . . . (would) further weaken our economic recovery and result in more out-migration and loss of jobs.

End of quote, Mr. Deputy Premier.

You're not part of the solution — you're part of the problem, sir. That is obvious to everyone in the whole world, at least in this province, except you — you go merrily along.

Mr. Deputy Premier, in your budget address and the throne speech you placed an emphasis on economic development and job creation. Why would you allow the Minister of Labour to bring in legislation at this time that goes totally counter to the stated objectives of your government in both your throne speech and your budget speech to the people of this province this spring? Why would you do that?

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

**Hon. Mr. Tchorzewski:** — Mr. Speaker, let me once again be very clear to the member opposite. The legislation that is before the House today has got nothing to do with whether economic development will be more or less in this province.

The legislation that is before the House today, Mr. Speaker, is legislation that is providing a balanced approach to labour-management relations and providing protection for workers who are otherwise unprotected, and I can tell you very clearly, Mr.

Speaker, for that we do not apologize as a government.

Now the members opposite may want to attack working people and they may want to suggest that somehow the economic development investment climate in Saskatchewan will be dampened by this. I categorically refuse to accept that suggestion and allegations of the members opposite.

In the last two years there has been more involvement by the business and investment community in developing government policy than there ever was in the 1980s when members opposite were sitting on this side of the bench. The only people they spoke to were the carpet-baggers, the people who came with briefcases from outside of this province, saying will you please put money into it, like the Guy Montpetit's — that was their economic development strategy.

And that's why today, Mr. Speaker, we are faced with a \$16 billion debt to which, never in those years did people — like some of the people who are complaining today — ever object to the strategy that the members opposite employed, which was a deficit strategy, year after year after year.

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

**Mr. Swenson:** — Thank you, Mr. Speaker. Mr. Minister, this legislation is going to kill jobs. It's going to reduce investment and it's going to force people out of this province. And you don't have to take my word for it, Mr. Minister. The entire business community of this province is telling you that this morning.

And your feigned concern for workers is an embarrassment, Mr. Deputy Premier. You're the people that are separating workers from their jobs — just ask my folks in Moose Jaw who work at the Woolco store. Just ask them about their pay cheques, Mr. Deputy Premier.

Now you should be looking after the average worker in this province and his pay cheque, not your union leader friends who are worried about their pay cheques, Mr. Deputy Premier.

I'll quote from the letter again this morning to you, Mr. Deputy Premier. This is the entire business community saying:

We fear that these new laws will handicap (the) public sector managers from pursuing future wage restraints and/or other labour contract concessions in order to avoid higher taxes and utility rates on all taxpayers in (the province of) Saskatchewan.

They're saying to you this morning, Mr. Deputy Premier, the entire public sector is being put under pressure by your legislation. If you are such a promoter of deficit reduction, why are you transferring this kind of power to union leaders? Because it flies in the face of your other policies that you stated yourself this spring. Why are you doing

that?

**Hon. Mr. Tchorzewski:** — Mr. Speaker, once again I think the member opposite speaks in the way that I think does him no credit because everything he says is of no relevancy to the legislation that's being proposed here.

If there are some positive, concrete suggestions that the member from Thunder Creek and the member from Souris-Cannington and others might have, then I simply ask them: why not get on with the legislation in committee so that they can bring their suggestions forward, rather than simply trying to make the political statement that they're trying to make here today?

Not that I object to political statements, but I think the way that they're approaching this really questions whether they really mean what they say or whether they're just trying to make that political point. If they have some constructive recommendations and suggestions to make, as the government has with some of the amendments that have been suggested and are being brought forward, then they should let this Bill proceed.

Now I want to address the mention the member opposite makes about the letter which says that this will handicap public sector managers from pursuing future wages restraints. We're not looking at wage restraints. That's something that's subject to bargaining, as it always has been. That never changes by this legislation.

All this legislation does, Mr. Speaker, is provide a fair and balanced approach to those kinds of legitimate democratic processes which have worked very effectively in the past and will work just as effectively, in fact more effectively, in the future.

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

**Mr. Swenson:** — Thank you, Mr. Speaker. Mr. Minister, that answer just tells me how out of touch with the world that you've become in the last few months. You're out of ideas obviously because your minister went around the province for 16 months, at least he claims, and he listened to all the ideas. Today you're bereft of any of them.

The chamber has called upon you to fire that minister for being incompetent. You laugh. And now you scoff at the authors of the letter. Well let's just run through them, Mr. Deputy Premier, to make sure everybody in the province understands who we're talking about here.

The letter is signed, sir, by the Canadian Federation of Independent Business, Canadian Restaurant and Foodservices Association, the Prairie Implement Manufacturers Association, the North Saskatoon Business Association, Saskatoon Chamber of Commerce, Saskatchewan Chamber of Commerce, Saskatchewan Construction Association, Saskatchewan Home Builders' Association,

Saskatchewan Restaurant and Foodservices Association, and the Association of Concerned Taxpayers of Saskatoon.

Now, Mr. Deputy Premier, you've been around the province a while, you tell me who's missing — you tell me who's missing. The entire business community is upset with you and your Minister of Labour. And you and your Premier can go out and try and cut all the side deals you want with a few big business people in this province, to try and get somebody to prostitute themselves so you can get this legislation through.

Mr. Minister, Mr. Deputy Minister, it isn't going to work. Would you respond to the people that signed this letter today and tell them that you're going to pull this legislation before it goes any further?

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

**Hon. Mr. Tchorzewski:** — I think the latter words of the member opposite, Mr. Speaker, say a great deal. And I want to make it very clear that I stand here and I do not associate myself with his comments that people in the business community are prostituting themselves in this process.

Quite frankly, Mr. Speaker, that may be ... (inaudible interjection) ... Apologize for that. That, Mr. Speaker, may be ... (inaudible interjection) ... Apologize for character, apologize for it. That may be shading what is parliamentary acceptable, Mr. Speaker, but I can say to the member from Thunder Creek and the members of the official opposition that in the public mind ...

**The Speaker:** — Order. If members continue, question period will be over soon. The Deputy Premier ... Order. His colleague has to give him the opportunity to answer the question.

**Hon. Mr. Tchorzewski:** — Although I am tempted, Mr. Speaker, so it's clearly on the record, I will not repeat what I have just said. I think the way the member has addressed this speaks for itself. I want to say that we don't associate ourselves with that kind of view of concerns that people have.

We appreciate as a government legitimate concerns that anybody has in our society — whether it's working people or whether it's the business community — and we have shown that we appreciate legitimate concerns by recognizing many of them and have brought forward recommendations to this legislation.

And we will continue to listen to legitimate concerns, Mr. Speaker, as soon as the members opposite get off the delaying tactics and begin dealing with the legislation so that they can tell us what their positive alternatives are; and then we'll get on with the business of this province, which is what the people of Saskatchewan expects us to do as legislators.

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

### Crown Lease Rates

**Mr. McPherson:** — Thank you, Mr. Speaker. This question today is for the Minister of Agriculture. When your government was drafting its so-called vision for agriculture, it commissioned a study that identified obstacles to this vision. One of the obstacles identified was regressive economics. It indicated that provincial economic strategies have retarded growth in the farming sector, as evidenced in a drop in net farm incomes, and has Saskatchewan leading the country in farm bankruptcies, Mr. Minister.

Would you agree, Mr. Minister, that the Saskatchewan farming sector still has many obstacles to overcome?

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker. To the member opposite, I thank him for that question. Certainly agriculture has many obstacles to overcome in this province. It's been like that since day one.

Our government has made a lot of progress in that regard. We have an ag equity fund, Mr. Speaker, that was announced in this year's budget — \$20 million to help farmers diversify.

We have over 45 per cent of the arable land in the country of Canada; we have 3 per cent of the population. We certainly do what we can.

There is a federal responsibility here, Mr. Speaker, that the member opposite does not seem to understand. They continue to do things like cut the WGTA (Western Grain Transportation Act) subsidy by 5 per cent in the federal budget, which affects our farmers in Saskatchewan by millions of dollars. I wish they would join with us in trying to improve the agricultural community across Canada.

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

**Mr. McPherson:** — Mr. Speaker, Mr. Minister, many Saskatchewan farm families rely on leasing Crown land to make their farming operations viable. Without this Crown land, many farmers would have to declare bankruptcy. A farmer from Shaunavon just received a letter, signed by your department, that says his rent for the grazing land he's leasing from you is going up by more than 13 per cent, and his leased cultivated land is going up by 10 per cent.

Mr. Minister, would you confirm that Crown lease rates are going up right across Saskatchewan, and tell us why? Mr. Minister, you agree there are obstacles; now tell us why you are one of the obstacles.

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker. To the member opposite, I'm sure he's quite aware that leased land in the province of Saskatchewan is based on a formula, depending on the product — the price of livestock, for an example, and the price of grain, for an example. As those prices increase, lease rates increase accordingly. If in fact prices decrease or fall, lease rates fall, so it's a system that works well in the agricultural community. And it proves I think, Mr.

Speaker, that if indeed lease fees are going up, is that farm income also looks better.

The farmers in my constituency, Mr. Speaker, and indeed across the province are a lot more optimistic this year. They certainly would appreciate more federal aid, especially in the north-east where we had some snowfall and some damage to our crops. But we will do the best we can as a provincial government and we would ask that the federal government and the federal Agriculture minister, Mr. Goodale, join with us to help the farm community in Saskatchewan and indeed across Canada.

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

(1045)

**The Speaker:** — Order. Order. I don't think I have to warn the member from Shaunavon that kind of tolerance is simply not accepted.

**An Hon. Member:** — Well let's have some fairness.

**The Speaker:** — I will ask the member from Shaunavon to please withdraw that statement and apologize to this House. I asked the member from Shaunavon to please apologize, withdraw that statement and apologize to this House.

**Mr. McPherson:** — I withdraw the statement, Mr. Speaker, of asking for fairness for the third party. I apologize.

**The Speaker:** — I will warn the member once more to unconditionally withdraw that statement and apologize to the House.

**Mr. McPherson:** — I withdraw the statement and apologize, Mr. Speaker.

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

**Ms. Murray:** — With leave, to introduce guests.

Leave granted.

### INTRODUCTION OF GUESTS

**Ms. Murray:** — Thank you, Mr. Speaker, and thank you to my colleagues. Mr. Speaker, I'm delighted to introduce to you and through you to my colleagues in the legislature, a constituent of mine seated in the west gallery, Ruth King. She is accompanied today by two friends visiting from Scotland. They are Anthony and Charlotte Blythe and they run a kennel in the Highlands of Scotland.

I'm actually looking forward to meeting them to find out what sort of dogs they have, perhaps Scottish deer-hounds. They've rented a camper and they are touring Canada. And I would ask everyone here to join me in welcoming them to Regina. Thank you.

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



## ORDERS OF THE DAY

## GOVERNMENT ORDERS

## COMMITTEE OF THE WHOLE

## Bill No. 28 — An Act respecting Public Health

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

**Hon. Ms. Simard:** — Thank you very much, Mr. Chair. I'd like to introduce the officials who are with me at this moment. On my immediate right is Mr. Dan Perrins, the associate deputy, and on my left is Mr. Louis Corkery, the public health inspections program branch.

## Clause 1

**Mr. Boyd:** — Thank you, Mr. Chairman, Madam Minister, and welcome to your officials this morning.

Madam Minister, I wonder if you would, prior to the passage of this piece of legislation, if you would care to give us a brief explanation as to the purpose of this Bill. I know you've outlined it somewhat in second readings, but I just wondered if you had anything that you would like to add to your explanation at that time; and as well to, for the information of the general public, to bring them up to date on the content of this Bill.

**Hon. Ms. Simard:** — Thank you very much. Mr. Speaker, the legislation allows us to become more effective with respect to preventing, investigating, and controlling non-communicable diseases and injuries. It also has provisions in it requiring physicians to report information concerning injuries, deaths, birth defects, or other illnesses, for example. And in this fashion we will be able to learn more, Mr. Speaker, about new diseases or those occurring in unexplainable ways, in the hope that we can identify diseases somewhat earlier — diseases that cause such illnesses.

The communicable diseases are also dealt with in the Act. Around the world more and more people are living with HIV (human immunodeficiency virus) or AIDS (acquired immune deficiency syndrome), and we've been hearing about hepatitis C in the legislature and the press in the last few days. This legislation protects the privacy of individuals with respect to HIV and AIDS, while at the same time strengthening our ability to limit the spread of the fatal disease.

So the Bill is designed then, Mr. Chair, to protect the health of our communities by ensuring the people of Saskatchewan have better public health services with respect to illnesses, and have access to clean water and safe food and milk. It continues our ability to control communicable disease and also allows communities to assess the risk of health hazards and take steps to prevent or remedy them.

It's also, Mr. Speaker, ground-breaking in the sense that this legislation recognizes the importance of controlling non-communicable diseases as a top priority for a modern health system — diseases such as cancer, heart disease, diabetes, cerebral vascular diseases. These we know are killers today in society and, to a remarkable degree, are preventable. So we are learning to pay more attention to their treatment. And this Bill recognizes the need to pay more attention to those particular diseases.

So generally then it is an update of The Public Health Act, bringing us more in line with what the general direction that we feel we should be moving, and it allows us also to make public health services very much a part of health reform.

**Mr. Boyd:** — Thank you, Mr. Chair, Madam Minister. I wonder if you could tell us whom you've consulted with prior to the drafting of this piece of legislation and what the results of those consultations were.

**Hon. Ms. Simard:** — Mr. Speaker, the first consultation round we consulted with a very broad range of people. For example the Acupuncture Foundation of Canada, Agriculture of Canada, AIDS Regina, AIDS Saskatoon, The Arthritis Society, Association of Professional Engineers of Saskatchewan, Baha'i Faith, Canadian Cancer Society, Canadian College of Family Physicians, Canadian Institute of Public Health Inspectors. And I could send the list over to the member. It goes on for three pages, three full pages.

So I'll just . . . the college of dental surgeons, College of Medicine, Nursing, Pharmacy, community health administrators, Consumers' Association, Epilepsy Regina, Federation of Saskatchewan Indian Nations, Fort Qu'Appelle tribal council, Heart & Stroke Foundation, Meadow Lake Tribal Council, National Farmers Union, naturopaths' association, regional board chairpersons, the community clinics, many, many tribal councils, the dental therapists, Dietetic Association, fire commissioners, environment, hemophilia, herbalists, Lung Association.

And I'm just picking them off the page as I notice them. I'm certainly not reading out all of the names. The Water Corporation, urban municipalities, Saskatchewan Restaurants, Registered Nurses', Public Health Association, and so on. What I will do is have a Xerox copy of this made and sent over to the member. Those were our first round of consultations.

The second round of consultations were with people who had raised some questions and we went back and talked to them further about it. That was AIDS Regina, AIDS Saskatoon, all PSB program directors, community health and epidemiology, U of S (University of Saskatchewan), Federation of Saskatchewan Indian Nations, Legislative Review Committee of branch, medical services branch, medical health officers, Midwest Health Board, northern health services, occupational health and safety, P.A. (Prince Albert) Health Board, Provincial Lab, Regina Health Board, regional nursing

supervisors, SADAC (Saskatchewan Alcohol and Drug Abuse Commission), Saskatchewan Education, Saskatchewan Environment, Saskatchewan Public Health Association, Saskatoon Health Board, senior deputy minister, senior public health officers, SUMA (Saskatchewan Urban Municipalities Association), SARM (Saskatchewan Association of Rural Municipalities), technical advisory committee, treatment services branch.

So the consultations have been enormously extensive, Mr. Chair.

**Mr. Boyd:** — Thank you, Madam Minister. You certainly have . . . you and your department certainly have done your homework with respect to this piece of legislation, and I applaud your efforts for the extensive consultation that you have gone through and completed.

You missed the second part of my question. The past question was: what were the results of those consultations and did those groups have direct input into the legislation?

**Hon. Ms. Simard:** — I have been advised by the department that the concerns have been resolved. There is one concern that was raised by medical health officers inasmuch as they wanted that title in the legislation itself. And we chose instead to refer to them as designated public health officers to give us a little more flexibility. But the medical health officers will be the designated public health officers in virtually all of the cases. The regulations are going to be clarifying that a little further. That was one issue that was brought to our attention.

Another concern was the cost of water and sewer in some of our northern communities and the legislation was changed in order to accommodate those concerns by requiring a very extensive consultation process with respect to that particular section before anything is done.

(1100)

**Mr. Boyd:** — Thank you, Madam Minister, Mr. Chair. Madam Minister, we just have a few questions here of a specific nature with respect to the Bill I wonder if we could deal with at this time.

Could you please explain the criteria required for the position of public health officers presently and is there any change whatsoever after Bill 28 comes into effect?

**Hon. Ms. Simard:** — In the former legislation, the public health officers were the medical health officers. And in effect they had to have knowledge of environmental health, and some communicable disease training, and knowledge of health hazard abatement.

In the new legislation, the criteria required for the position of public health officer will not be changed — there's no change in that regard — except what we will do is allow a broader range of health professionals

to participate as public health officers. Not only will it be medical health officers, but it will be public health inspectors, public health nurses, and there might be some other professions that will be able to meet the criteria that has always been required of an individual to fill this position.

The reason for doing that, of course, is one of the goals of health reform is to use health professionals more fully, to expand the role of nurses, for example, to have health professionals working in a more coordinated fashion. Therefore we think we can expand the sort of people who are considered to be designated public health officers, providing they meet the criteria that was set out — which is knowledge of environmental health, communicable disease training, and knowledge of health hazard abatement.

**Mr. Johnson:** — Mr. Chairman, by leave I would like to introduce guests.

Leave granted.

### INTRODUCTION OF GUESTS

**Mr. Johnson:** — Mr. Chairman, I'd like to introduce some visitors that are in the Speaker's gallery. First of all, I believe there are 12 Big River Pathfinders, ages 12 to 14, seated in the gallery. They are here to tour the legislature and to observe what is taking place in the Assembly. And after I have introduced another group that is also in the Speaker's gallery, I would like the members to welcome them here to the Assembly.

Mr. Speaker, on behalf of Jack Langford, the member for the constituency of Shellbrook-Torch River, I believe I have as well the opportunity to introduce 30 grade 12 students from the Shellbrook School who are here to tour the legislative buildings and observe the activities of the Assembly this morning. Colin Neudorf is a teacher that is with them today.

And with the Pathfinders we have Leah Scriven and Ms. Carla Blampin, who are with the Pathfinders as well. And I'd like to ask the members to welcome them here this morning.

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

### COMMITTEE OF THE WHOLE

#### Bill No. 28 (continued)

#### Clause 1

**Mr. Boyd:** — Thank you, Mr. Chair. Mr. Minister, now I guess we have . . . it appears that . . . I understand the Health minister has to be away and I guess her partner actually is looking after the questions now, and I'm sure he can deal with them adequately.

Regarding section 14 within the piece of legislation; when discussing water supplies and sewage disposal, I understand that the municipality is responsible for a supply of potable water, for the disposal of sewage.

Are there any costs at all involved to municipalities through this Act for that provision?

**Hon. Mr. Lingenfelter:** — My understanding is, to the member opposite, Mr. Chairman, is that the regulations as they exist, already impact here and this is moving it into legislation. The only area where there may be some rearrangement of costs is in northern Saskatchewan, where it hasn't applied up until now, but there will be consultation and negotiations that will go on before anything is done there.

**Mr. Boyd:** — Thank you, Mr. Minister. Mr. Minister, section 32 deals with communicable diseases. And I'm sure that everyone agrees that government should do everything possible to control these diseases. This section deals with teachers, doctors, etc., reporting such diseases and then compiling the information.

Will this legislation help people like Vicki Lissel, whom I'm hoping your officials are familiar with the situation — the woman who has contracted the hepatitis C through tainted blood. Will the program be grandfathered for research, etc.?

**Hon. Mr. Lingenfelter:** — Mr. Chairman, I would indicate to the member that this section 32 of The Public Health Act doesn't affect funding at all, but merely reporting. And so this section in itself will have no effect one way or the other on the review and discussions that are going on on the case that you mentioned.

What this does is merely set out the reporting mechanism as it would relate to the section.

**Mr. Boyd:** — Thank you, Mr. Chairman, Mr. Minister. Section 35 states that:

A . . . public health officer who receives a list of contacts pursuant to section 34 shall promptly notify the persons named in that list that they have been exposed to . . . communicable disease(s) . . .

Mr. Minister, isn't this the situation with individuals who have contracted hepatitis C? According to a recent article, there are an estimated 140,000 people — I presume that is nationwide — walking around with this disease. Maybe that's even worldwide, for all I know — and most which don't know it.

What are you going to do to see that Saskatchewan people who have received transfusions, etc., who could have contracted the hepatitis C virus, are contacted and tested?

**Hon. Mr. Lingenfelter:** — To the member, I want to say that in section 35 we're really not talking or relating to medical procedures — as you indicate as one example, transfusions. The Public Health Act, as it's written, really deals with personal contact, one on one, as opposed to medical procedures, so it really wouldn't impact on medical procedures such as transfusions that might have caused problems for people.

**Mr. Boyd:** — Well I guess what we're asking in that situation, Mr. Minister, is . . . we're dealing with communicable diseases, and hepatitis C being one of those, we think it important that in light of the Vicki Lissel situation and other people like her that your department contact these people who have received transfusions and notify them of the difficulties that may be associated with it and provide some testing procedures.

**Hon. Mr. Lingenfelter:** — I'll take that under advisement. As I mentioned, section 35 doesn't deal with it but your comments are well taken. And I'll take that concern that you have back. And you may want to follow up on it on another day in a different forum. But as it would relate to section 35, it doesn't have impact. But I certainly understand the concern that you have and I'm sure it's reflected in many other people who have concerns about the potential of contracting some disease through a medical procedure. But as it would relate to this Bill, it does not have impact.

**Mr. Boyd:** — Thank you, Mr. Minister. Mr. Minister, with respect to public health nurses, we've received a number of letters from public health nurses and they all are expressing concern over the recent reclassification of dental health educators, class no. 605210 to the positions of health educator 2, class 108082.

Mr. Minister, the job description for the health educator 2 states that the incumbent will possess a university degree or extensive experience in journalism, public relations, advertising, related fields of communication. The incumbent will possess broad general knowledge of the problems related to diet, communicable disease control, immunization, cancer, tuberculosis, and sex education; that they will stimulate, coordinate, plan and organize all health education activities under the direction of the regional medical health officer; that they may supervise the work of the professional and clerical employees performing duties related to the public health education process.

Mr. Minister, that is how the job description reads, yet the employees have been reclassified and I understand also received a \$6,000 per year raise . . . possess training and education which focuses on a single, specific aspect of health education, dental health. This is not what the job description states.

Public health nurses are concerned that this could threaten the quality and standard of health education provided presently to the people of Saskatchewan. They are concerned that this does not meet the stated qualification or possess the skills and basic knowledge to function as described in the job description of health educator 2.

Further, Mr. Minister, public health nurses already possess this qualification; skills and ability outlined in the health educator 2 job description. They already provide health education on a broad range of topics including dental health to people of all ages in the

communities they serve. Given these facts, why was it necessary, Mr. Minister, to create a health educator 2 position and who authorized the reclassification?

(1115)

**Hon. Mr. Lingenfelter:** — Mr. Chairman, I want to indicate that the changes came as a result of a request for reclassification from the dental health hygienists who applied for reclassification. The Public Service Commission saw this new established class of health education 2 position as being the way through this.

And I think what has happened here is that in the reclassification, is I think you are indicating there was a salary increase that possibly bumped them slightly ahead of public health nurses. There is discussions going on at the present time to make sure that that playing-field is not out of sync too much; and so without putting too fine a point on it, if there has been some unlevelling of the field here, negotiations are going on to hopefully bring a resolve to that.

**Mr. Boyd:** — Thank you, Mr. Minister. I think you probably have answered my next question with respect to that but we'll deal with it anyway. If the newly-created health educators 2 are to be compensated at the level outlined in the current agreement, the range has been set at \$2,915 to \$3,583 per month. Public health nurses have a Bachelor of Science in nursing and a much broader knowledge base than health educator 2, yet the current salary range, with a Bachelor of Science in nursing, is between \$2,893 and \$3,319. And obviously there is some inequity in there and I guess you've recognized that. Do you have anything further to add to that?

**Hon. Mr. Lingenfelter:** — No, I really can't add a lot to what I've said, except that we'll continue to review if there are discrepancies in that salary area. But I think what it does point out is the need for a further review of the whole classification structure in that area as we move into the wellness model, where more preventative work is being done and the role of the nurse, and particularly the health nurse, takes on new meaning.

So it's been recognized and I think solutions and options are being worked out.

**Mr. Boyd:** — Mr. Minister, is it true that dental health educators do not possess a university degree, that their education was completed at a technical college?

**Hon. Mr. Lingenfelter:** — It's my understanding that the new specs — for the member opposite — that the new specifications that will be coming out will actually require an academic degree. So you may have some who are already working in the system who don't have an academic degree, but that will change in the near future.

**Mr. Boyd:** — According to the job description, it sounds as if the dental nurses will be teaching children in the province of Saskatchewan about sex education, cancer, etc. No offence, Mr. Minister, but they are

dental educators, not health educators. Don't you think that perhaps something should be done about this type of situation? Or is it a done deal? Or are you looking into this situation further, Mr. Minister?

**Hon. Mr. Lingenfelter:** — Yes, I think the specs here have already been changed to limit the area of qualifications to the dental area. And so I think your concerns are probably already taken care of.

**Mr. Boyd:** — Thank you, Mr. Minister. We're hopeful that that is indeed the situation and I think that we'll be watching that to see that that is rectified.

How many individuals were affected by this reclassification?

**Hon. Mr. Lingenfelter:** — The best information I have, to the member, is between 16 and 20. I'll get you the exact number but something between 16 and 20. And this is the best information we have at this time.

**Mr. Boyd:** — Are these people all being transferred to the district health boards? Will they be under the jurisdiction of them?

**Hon. Mr. Lingenfelter:** — Yes, they will be part of the staff that will devolve to the health boards.

**Mr. Boyd:** — Could you tell me what the total increased cost to the taxpayer, by this reclassification, is for this fiscal year?

**Hon. Mr. Lingenfelter:** — I don't think we have that detail here but I can make the commitment to get that for you within the next . . . let's say in the next week I'll send you a note that will give it to you.

**Mr. Boyd:** — Thank you, Mr. Minister. That concludes the questions I have on this piece of legislation at least for the time being.

**Mr. McPherson:** — Thank you, Mr. Deputy Speaker. I appreciate the opportunity today to speak on this Bill. I can see some benefits in assembling this Bill but I can see that this Bill also raises some considerable concerns. I intend to outline some of those concerns and then depose some relevant questions particular to the specifics of this Act.

First I wish to say that there is considerable merit in having all public health matters brought together into a single Bill and I admire this. It creates clarity and order in government regulation which is an important aim to be achieved. Also the Act appears to streamline public health enforcement measures. In an age of considerable government regulation, it is wise to also make the enforcement of laws an orderly process.

But this Bill has implications that go far beyond the mechanics of regulation and law making. This Bill permits cabinet to delegate the responsibility to administer and enforce the Act, and to offer public health services through local authorities. This Bill is the part of government's process of implementing their wellness model of health care. The Act makes

public health a community-based service, makes public health a local responsibility, and places the administration of public health at the local level. Is this the right thing to do? Is this being done right? I hope our discussion today will enlighten these questions.

Public health matters are often local matters. The outbreak of a communicable disease, the protection of potable drinking water, or the control of tainted food are all primarily local matters deserving local attention to local interests. But this is perhaps a simple view; there is more to managing public health than local attention to local interests.

The move to transfer public health to the local level could be seen as a bold . . . bald attempt to offload provincial responsibility. When the government enters into agreements with local authorities, the Act in clause 7 places the obligation on local authorities to administer and enforce provincial laws. Some could see this move as expedient, but just as easily this can be viewed as an effort on the part of the government to pass off its obligation to regulate matters in the public interest.

Instead of the province doing a job of administration and enforcement to the standards it sets for itself in the public's interest, the move can just as easily be seen as a way to pass off that responsibility. It makes the local agencies responsible to live up to the standards the government sets. In effect this could be viewed as balkanization of the system. By breaking up the administration of public health into small, near independent pieces, there's a potential risk of inconsistencies.

The Act, nor the department which is responsible for the Act, creates no mechanisms for centralizing important functions. There is no assurance of common, shared quality control; and because there will be a multiplicity of agencies facing different circumstances in different places, there is a risk of extra effort to coordinate activities and a risk of inconsistent application of the law. In fact clause no. 8 of the Act ensures that the minister may exercise any powers already conferred on the local authority. The clause anticipates and permits the duplication of efforts.

Well presumably the government's intent is to protect the public interest. It is doing so by incurring additional and perhaps unnecessary cost. While there appears to be some appeal to passing public health to local control, there also appears to be some hidden dangers.

Mr. Minister, regarding clause 4. Please describe the nature of the contracts to be undertaken between local authorities and the government. In particular what would be the nature of the agreements with Indian bands? Will there be any differences between these agreements and those with the district health boards?

(1130)

**Hon. Mr. Lingenfelter:** — I want to say to the member that what section 4 does, of the Public Health Bill, is basically empower through the Act to allow for this kind of contract to be established.

It doesn't mean that in every case there will be that arrangement, but it will be allowed, and will be part of the operation if that is the choice. I want to say as well that this already exists with the municipal government whereby some of these services are being offered at the municipal level already. And also in some other provinces we see this working very well, so this is not something that is new.

**Mr. McPherson:** — Thank you, Mr. Minister. Do district health boards have an option to not undertake public health services if it feels this is in the best interests of the people within the district?

**Hon. Mr. Lingenfelter:** — At the present time there will be encouragement given to doing it through the health board but it will not be a requirement.

**Mr. McPherson:** — Who is responsible to oversee these contracts? In particular, how would the department achieve quality control in the delivery of public health services?

**Hon. Mr. Lingenfelter:** — Mr. Chairman, the Department of Health will be responsible for overseeing and making sure that the services are provided.

**Mr. McPherson:** — How will you define the level of acceptable performance of public health services by the district health boards?

**Hon. Mr. Lingenfelter:** — First of all there will be standards established, obviously, by which statistical analysis will then be charted to see that the outcomes are at a level that is necessary. And so you will basically see standards being established and then health outcomes will be charted on a statistical basis. And it will be a controlled system where we will be able to follow very carefully the needs of the public and the results that are forthcoming from the changes that occur.

**Mr. McPherson:** — Thank you, Mr. Minister. Along with passing off responsibility, the proposed Public Health Act raises a serious question about the financial resources required by local authorities to fulfil obligations under the Act.

The Act and the wellness model as a whole transfers the obligation to provide a service without the certainty of funding to fulfil these obligations. There's a provision in clause 5 for the government to make grants to local authorities, but there is not assurance that the funding will endure, or whether the funding will be adjusted in parallel with changes in the level of service expected.

There may also be a risk of duplicated spending for administration. There'll be many district health

boards starting up public health services and each of them will be incurring start-up costs. It is likely these costs will overlap. As well, there is no mention of the start-up monies for local authorities to administer public health similar to the start-up grants for health boards.

Regarding clause 5, Mr. Minister, I wish to ask: will there be a start-up grant to district health boards for public health services?

**Hon. Mr. Lingenfelter:** — As it now stands, there is discussions going on with SAHO (Saskatchewan Association of Health Organizations) to see exactly what is needed in terms of financing or grants that might be needed. But obviously there will be a flow-through of money for public health.

And your argument that somehow it's more at risk being at the local level than it was at the central level, I simply don't buy that argument. Because whether you cut the overall budget within the Health department or whether you do it once you have it within a health board, I think it could easily be argued that it's much more difficult once you have locally established boards with certain budgets set up to reduce all of them around the province than it would be to simply, at budget time, cut the budget of a certain area of government.

So I don't think that should be of a concern to the health care providers within the system, because what we're proposing to do is flow the money through to the local boards, and we would certainly want to make sure that a continuation was there in order that the services would be provided to the public in a more meaningful and appropriate way.

**Mr. McPherson:** — Thank you, Mr. Minister. Will local authorities be able to recover the costs of the services from the clients?

**Hon. Mr. Lingenfelter:** — Yes, really nothing in that sense will change. The department at the present time, if they decided to, I guess could charge a fee for service for various services. The same will be true of the local boards. However there will be a monitoring process and the ability of the minister to have control over fees that might be suggested to be charged.

**Mr. McPherson:** — Are you satisfied, Mr. Minister, that the local authorities will be able to continue to fund public health services over the long haul?

**Hon. Mr. Lingenfelter:** — Yes, there's no reason to doubt that the monies that are needed to protect public health will be available. So I would expect the funding to be properly put in place to make sure that the public health and safety is taken care of.

**Mr. McPherson:** — What will be the cost for the district health boards to inherit the SGEU (Saskatchewan Government Employees' Union) deal for the transfer of employees?

**Hon. Mr. Lingenfelter:** — Yes, as I understand it,

there'll be no increase or decrease in the cost of staffing as the people will . . . positions will move along with the people and the contracts will basically remain in place. So there will be no change in the amount of funds needed for staffing purposes.

**Mr. McPherson:** — Thank you, Mr. Minister. In some respects the process to transfer public health responsibilities to local authorities creates a two-tier system. On one hand there will be the districts created from existing public health agencies in Regina and Saskatoon. Then there will be a second tier of local authorities, those just starting out and organizing themselves to offer public health services. The established operations in Regina and Saskatoon will have . . . well of course they'll have the head start and in effect the other districts will be lagging behind.

Mr. Minister, have you anticipated this differential? And if so, what will be the effect on public health services in rural Saskatchewan?

**Hon. Mr. Lingenfelter:** — The changes that will occur will not be different in the city versus in the rural from what's happening at the present time. Already we have a very diverse and decentralized operation for public health.

And basically what will happen is the employees will transfer from the department to the regional boards as the negotiation contracts are set in place. But we don't foresee any change from their present pattern and delivery of service that occurs at the present time, that is, the quality of service in any way being diminished. In fact quite obviously our intent is, is that the system will be improved by having the local input and local involvement.

**Mr. McPherson:** — Mr. Minister, how will the funding authorizations change in Regina and Saskatoon, and will their grants continue?

**Hon. Mr. Lingenfelter:** — The member should know that at the present time there is a municipal round table that is dealing with the issue of funding. But my understanding is that at the present time the funding arrangement is 50/50; and as the change occurs, it will remain at 50/50.

Now if there is something comes out of the round table discussions that would nudge that one way or the other, then that change would occur. But my understanding is at the present time it's 50/50, and that basically remains intact.

**Mr. McPherson:** — Mr. Minister, I'm also concerned about the potential for this devolution of responsibilities to overload the early efforts of the new district health boards. These are new organizations wrestling with the new realities of local responsibilities. It's possible that the government is demanding too much of the new district health boards at once. For this, there may be a risk of the quality of care deteriorating during the shake-out phase, I guess.

In respect to clause 10, is there a plan to ensure that

there are an adequate number of public health professionals in every district?

(1145)

**Hon. Mr. Lingenfelter:** — I want to say to the member that as the devolution occurs, it will really happen at a pace that will be set by the districts as opposed to the department. There will be no dumping out of public health provisions from the department to the community boards. In fact it will be done at a pace that will be much more in tune to the readiness of the health board. And so the member should know that there'll be a great deal of consultation and it will be really at the will of the health board that the transfer or the devolution will occur.

Now one should know that we are obviously encouraging the change so we'll be working diligently with the health boards to get them ready for the transfer, but they will have to give us the green light before the change will actually occur.

**Mr. McPherson:** — Part III of the Act describes guidelines for water supplies, sewage disposal, food, the environmental health protection.

I have a number of specific questions in the part regarding clause 14. Clause 14(2) gives hamlets and towns time to remedy public health concerns with potable water and sewage disposal. How many hamlets and towns do not now meet the requirements of this Act?

**Hon. Mr. Lingenfelter:** — I'll get that for you, to the member from Shaunavon. I don't have that with me, but I can get that for you and get it back to you, let's say within a week or so.

**Mr. McPherson:** — Thank you, Mr. Minister. Will there be any specific financial support from the provincial government to upgrade water and sewer systems to meet minimum standards?

**Hon. Mr. Lingenfelter:** — Well certainly not through this Act. There's no provision for that kind of funding. But through Municipal Government, as you probably know, there is already in place a program of assistance for treatment. But that would have to be negotiated with Municipal Government. Within this Act, there is no provision for funding for upgrading or treatment.

**Mr. McPherson:** — Mr. Minister, how long do you anticipate that these towns will require to satisfy the requirements of The Public Health Act?

**Hon. Mr. Lingenfelter:** — There won't be a deadline as such, nor do I think there ever can be, because this really is an ongoing piece of work. As you know, good quality water and sewage treatment is not something that will someday all be done and we can be finished with, so there really is no deadline as to when this will be completed.

**Mr. McPherson:** — Mr. Minister, with respect to clause 15(b), the Act does not allow non-potable

water to be offered to the public, but then provides for an exception. Why would the regulations permit a non-potable to be made available?

**Hon. Mr. Lingenfelter:** — The exemption, I guess, already exists in regulations. And the one that the member might be . . . if you think about it, in some of the cottage areas for example where lake water is used within the system for non-drinking water, where this kind of thing is allowed, obviously it makes logical sense that you wouldn't demand a different kind of system in those areas. So this is a circumstance that you would probably be aware of.

**Mr. McPherson:** — Mr. Minister, with respect to clause 17, the Act no longer permits the sale of whole milk at the farm gate. What impact do you expect this to have on family farm income, and how many dairy operations do you think this will affect?

**Hon. Mr. Lingenfelter:** — As the member may be aware — I wasn't — but this actually was a federal law passed in 1991, so you may lean over to the member from Kindersley and find out why the federal government did that. But seriously, this is a flow-through of a federal Act which, in seriousness, because of serious problems that can occur from unpasteurized milk, we are simply putting in place and standardizing our law as it would relate to the federal law.

But we're going one step further than that and setting up a set of guidelines whereby farm families will know the regulations and the process for pasteurizing milk on farm, so they will then be able to continue to sell milk if it's part of their business operation.

So just so you're aware, this is merely a levelling out of the law as it would apply at the provincial level and the federal level.

**Mr. McPherson:** — Thank you, Mr. Minister. With respect to clause 19, the Act provides for a local authority to seize food that is unfit for human consumption.

Why did the drafters of this legislation feel it necessary to make it possible to seize the food but they don't have to destroy it? In effect, the authorities may seize it, let it rot, then return it to the owner. I guess they must do that. Please explain why this clause is written in this way.

**Mr. Martens:** — Mr. Chairman, I'd like to have leave to introduce a guest.

Leave granted.

## INTRODUCTION OF GUESTS

**Mr. Martens:** — Thank you, Mr. Chairman. Seated in the Speaker's gallery is a former minister of Finance in the province of Saskatchewan, Mr. Lorne Hepworth, and I'd like to have the members of the Assembly welcome him back to Saskatchewan and join with me in doing that.

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

**Mr. Kowalsky:** — Thank you, Mr. Speaker. And as a former critic, Education critic, when Mr. Hepworth was Minister of Education and Minister of Continuing Education, it's a pleasure to welcome him to the Assembly. And we all remember him for his very famous words as he listened very diligently to all the speeches in the House and then mentioned after each one of them that that was the worst speech he had ever heard.

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

**Hon. Mr. Lingenfelter:** — Mr. Chairman, first of all I'd like to also say hello to my good friend, Lorne Hepworth, who is with us here today. Lorne, as you know, is now employed with Canadian Agra Corporation in Ontario and we're very interested in trying to get Lorne to move back to Saskatchewan. And actually I should be having coffee with Lorne right now, but you'll understand why I'm not in my office, because I'm here.

But I want to say that recently, in attending the Bruce power station and a bit of a reception that was put on by the local economic development authority, much to my surprise the CEO (chief executive officer), Lorne Hepworth, showed up at the reception and was good enough to send me, a short time ago, a sampling of a certain kind of beverage that is made through their operation in Ontario. And I want to say that those who partook in consumption of it said it was very, very good. So thank you very much . . . (inaudible interjection) . . . No, not me.

## COMMITTEE OF THE WHOLE

### Bill No. 28 (continued)

#### Clause 1

**Hon. Mr. Lingenfelter:** — I want to say to the member opposite that as it relates to the seizure of food under section 19, really there is no change that is occurring here that's significant. This has been the standard procedure in the department under the Act for many, many years. And really the Act of seizure of food under these conditions I don't think is unusual or unexpected when the health of the public is at risk.

**Mr. McPherson:** — Mr. Minister, with regard to clause 21, this clause requires persons to report a known health hazard to local authorities. Is this intended primarily as a means to punish known offenders?

**Hon. Mr. Lingenfelter:** — Yes. I think if the member were to look at the section, basically it says:

A person who knows of the existence of a health hazard and who believes that the local authority for the jurisdictional area in which the health hazard is located is not aware of the health hazard shall notify the local authority.

It's pretty straightforward, that if you know of a health hazard, you should report it. And I don't think it's meant to do anything other than protect the interest of the public.

**Mr. McPherson:** — Mr. Minister, the Act permits fines to a maximum of \$75,000; however I'm sure that the fines under this clause will vary. Will there be a schedule of fines within the regulations?

**Hon. Mr. Lingenfelter:** — Yes, there really is no schedule of fines. The way the process works is if the charges are laid in fact, the courts would decide what the penalty would be. So it wouldn't come as a fee imposed through this Act but as the result of a judgement.

**Mr. McPherson:** — Mr. Minister, clause 25 empowers the local authority to remove or remedy a health hazard by order and then empowers the local authorities to do so without an order. Are there measures to prevent arbitrary actions?

(1200)

**Hon. Mr. Lingenfelter:** — Yes. So the member is aware, there will be powers in regulation to establish an appeal mechanism.

**Mr. McPherson:** — It appears that this may occur without due notice. Is this true? Is it permissible in federal law?

**Hon. Mr. Lingenfelter:** — I'm just unclear as to what the member is saying might happen without due notice. I'm not sure what the problem he's raising is.

**Mr. McPherson:** — Well, Mr. Minister, I'll perhaps come back to that question in a bit.

The Act indicates that financial assistance may be available through the Department of Health. Will there be an annual reserve fund for this purpose? Is it likely that the funds will be available annually?

**Hon. Mr. Lingenfelter:** — Here again, I'm just not sure what you're referring to when you talk about a fund being established. Fund for what purpose? I'm not sure what the fund you're referring to is about. Is there a clause in the Bill that you're working on? I'm just not clear on what fund you're asking about.

**Mr. McPherson:** — Yes, I believe it's in clause 27.

**Hon. Mr. Lingenfelter:** — I see, you're talking about the appeal. No, there will be no special fund set up. But as it says in, I guess it's 27(c): "request financial assistance from the minister to defray the cost of doing so." If it were decided that it was appropriate, then funds could be allocated but it wouldn't come out of a special fund but merely out of the general budget.

**Mr. McPherson:** — Mr. Minister, with respect to clause 28, the Act requires a local authority to notify the minister if there are possible health hazards to



other jurisdictions. Why does the Act not also require the local authority to notify the other jurisdictions in question?

**Hon. Mr. Lingenfelter:** — Well the reason it works this way is because the Minister of Health is still responsible for the whole province.

So if there were problems that were related from the authority back to the minister and there was impact or implication in other areas of the province, this still falls within the purview of the Department of Health and the responsibility of the Department of Health to take care of the issue.

**Mr. McPherson:** — With respect to clause 31, the Act defines a public health officer but it doesn't define a medical health officer. The Act makes no mention of medical health officers and is otherwise silent on the distinction of the roles. And I'm wondering, is this an attempt to eliminate the presence of a MD (Doctor of Medicine) in the public health system?

**Hon. Mr. Lingenfelter:** — No, not at all. The medical health officer will still be very directly involved but it will be . . . the provisions are being prepared right now, as we speak, through regulations. So the role of the medical health officer will still be there.

**Mr. McPherson:** — Clause 31 requires doctors to report information on non-communicable diseases. What sort of diseases would we be . . . you know, that are involved here, and can you give me some examples of occasions where this sort of information may be required?

**Hon. Mr. Lingenfelter:** — The reason that we would want to know the kind of accidents or . . . in this case, the accidents might be related to a certain area of the jurisdiction where accidents are occurring regularly. Let's use a railway crossing. And if you've had a number of accidents at a certain railway crossing, this could be determined to be an area that would become important under this section.

**Mr. McPherson:** — I'm not sure if I followed your answer, Mr. Minister. You had referred to accidents and such. I'd referred to non-communicable diseases and what sort of diseases are involved, and just some examples of this where the information may be required.

**Hon. Mr. Lingenfelter:** — Let's say in your area of the province for example, there has been — I think in the Climax area — a concern about MS (multiple sclerosis) and what seems to be, to some people, an overly increasing number of MS conditions in the Climax area. If that is noticed, then that would be one of the areas that might be of concern, and then further discussion and investigation that would go into it.

Cancer, if you noticed in a certain area that there was a higher rate of a certain kind of cancer, that might be another area that would have impact.

**Mr. McPherson:** — Part IV of the Act provides a

thorough set of guidelines with respect to reporting information on communicable diseases as well as measures for the control of epidemics. I have a number of questions about this, both of a general nature as well as some specific questions.

First, you have created two different categories of diseases, class I and class II. Is this classification recognized nationally and internationally?

**Hon. Mr. Lingenfelter:** — Yes. No, we have developed our own system here in Saskatchewan, so it's not a national or international . . .

**Mr. McPherson:** — Mr. Minister, I'm going to move on to clause 31(1). Does the obligation on doctors and nurses to report information in accordance with this clause conflict with their professional ethics? And what advice have you received from the College of Physicians and Surgeons and SUN (Saskatchewan Union of Nurses)?

**Hon. Mr. Lingenfelter:** — Yes, we've consulted with them and they have expressed no concern about this section.

**Mr. McPherson:** — Clauses 33 to 36 of part IV replaces the venereal disease control Act. Is there any risk of creating excessive levels of obligation and control on people in this legislation now that an Act specifically designed to manage this is now being repealed?

**Hon. Mr. Lingenfelter:** — No, we don't think so. It's just that all the powers are now in The Public Health Act.

**Mr. McPherson:** — Mr. Minister, to what extent does this Act provide for confidentiality after due notification?

**Hon. Mr. Lingenfelter:** — Yes, the department treats confidentiality as a very, very important issue. The staff in the department and in the area are well aware of this, and so it's also dealt with within the Act. So confidentiality, as you are indicating, is of concern and is a very important issue.

**Mr. McPherson:** — Mr. Minister, clause 31(3) requires persons diagnosed as having a non-treatable category II disease to "take all reasonable measures to reduce significantly the risk of infecting others, . . ." In the case of AIDS victims, will the government regularly exercise its power to fine persons up to \$75,000 for not taking reasonable precautions?

**The Chair:** — I wonder if I might have the leave of the committee to introduce a guest?

Leave granted.

## INTRODUCTION OF GUESTS

**The Chair:** — Today is the last day for page, Lesley Strelloff, who'll be moving on to another job. To observe her from the gallery, to make sure things go

well on her last day on the job, is her mother, Isabelle Strelieff from Saskatoon. I wonder if we might extend her a warm welcome here today.

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

(1215)

## COMMITTEE OF THE WHOLE

### Bill No. 28 (continued)

#### Clause 1

**Hon. Mr. Lingenfelter:** — Yes. The Act wants to obviously try to stem the spread of HIV, and in doing that the logical thing that the medical officer may want to do is try to isolate the individual in order that the disease is not spread. But as you know, this is a very, very complicated area. The Criminal Code comes into effect where . . . could come into effect where somebody knowingly spreads the HIV. And so it's a broad spectrum of actions that can be taken here. And as the member might be aware, that many remedies are looked at before penalties or fines are considered.

**Mr. McPherson:** — Well, Mr. Minister, then to what extent will the government enforce and punish persons known to contravene this section of the Act? How far are you prepared to go?

**Hon. Mr. Lingenfelter:** — We have not had a problem with cooperation of people who have had . . . let's use HIV as an example only, but there are other communicable diseases. But we don't see a huge problem in this area with cooperation. It hasn't been a problem in the past and we don't see that occurring now. So your words punishment really haven't been appropriate and I don't think would be appropriate in the future.

**Mr. McPherson:** — Mr. Minister, with respect to clause 38, clause 38(2) specifies requirements that may be placed on a person in an order. With regard to subsection (g), do any of these restrictions contravene the Saskatchewan Human Rights Code? And what advice have you received from Crown solicitors on this aspect of the Act?

**Hon. Mr. Lingenfelter:** — No, our understanding is there's no conflict with the Human Rights Code.

**Mr. McPherson:** — With regard to subsection (k), do any of these restrictions contravene citizens' rights under the constitution, and what advice have you received on the matter?

**Hon. Mr. Lingenfelter:** — Yes, it's my understanding that all these sections have been gone through by Justice, and we find none of them that are in conflict with the Human Rights Code or any federal regulations.

**Mr. McPherson:** — Mr. Minister, with respect to clause 44(1), a teacher or a principal may exclude a pupil from school who is suspected of having a

communicable disease. What would be the government's policy in respect to children infected with the AIDS virus?

**Hon. Mr. Lingenfelter:** — Yes, the only time the department might act is if a medical health officer would . . . who may be consulted by the school or be called in to do an examination would advise that certain procedures be set in place. So the Department of Health wouldn't of its own volition become involved directly except on the advice and consultation of a medical health officer.

**Mr. McPherson:** — With respect to clause 46(1), to what extent are the current regulations up to date and how long will it take to get the current regulations thoroughly up to date?

**Hon. Mr. Lingenfelter:** — I think at the present time we've got the regulations about half completed and I'm just not sure on how long the balance will take. But my officials assure me they're working diligently on completing the task. It is a very, very important piece of work and not an easy one because this is a complicated area. But our expectations are that the work will be completed in the not-too-distant future.

**Mr. McPherson:** — Mr. Minister, with respect to clause 53(1)(g), the Act states that a public health officer may require a person to produce records if requested. How does the requirements under this Act correspond to the requirements of the freedom of information and privacy Act and the Human Rights Code?

**Hon. Mr. Lingenfelter:** — As I said earlier, all sections have gone to the Department of Justice, and the freedom of information requirements, along with all of the Human Rights Code law, would have implications. So whatever the application of the various regulations, they would be met by this Act.

**Mr. McPherson:** — Mr. Minister, with respect to clause 65(2)(c), would the Minister of Health publicly announce the identity of an AIDS victim, believing it to be in the public interest?

**Hon. Mr. Lingenfelter:** — No, it's not considered here under the section that you mentioned that the minister would ever publicly name a person who has been infected with HIV.

**Mr. McPherson:** — Thank you, Mr. Minister. That's the conclusion of my remarks, so I thank you and your officials today.

Clause 1 agreed to.

Clauses 2 to 79 inclusive agreed to.

The committee agreed to report the Bill.

### Bill No. 29 — An Act respecting the Health Services Utilization and Research Commission

**The Chair:** — I would ask the minister at this time to

introduce the officials who have joined us here for this Bill.

**Hon. Mr. Lingenfelter:** — I'd like to introduce to you first Maureen Yeske, the executive director of the health planning and policy development branch, and, Maureen, welcome here today; Diane Neill, legislation officer, who is seated to my left, and Gerry Tagert, Crown solicitor in Justice, who is seated to my right. And I look forward to questions from the opposition members.

#### Clause 1

**Mr. Boyd:** — Thank you, Mr. Chairman. Mr. Minister, we just have a few questions on this piece of legislation. I wonder if you would care to take the — before the legislation passes this afternoon — I wonder if you could take a few moments to describe the purpose of this Bill and the new Health Services Utilization and Research Commission.

(1230)

**Hon. Mr. Lingenfelter:** — Probably easiest, Mr. Chairman, if I just run through a few points of what the Bill is anticipated to do. First of all, the legislation will establish the commission, setting out the number of members and the terms of their appointment. Secondly, it will enable the commission to hire staff. Third, set out the objectives of the commission, including the funding for research.

It will give power to the commission so that it can fulfil its objectives. It will establish the fiscal year and provide for the auditing and the annual report to be submitted to the Legislative Assembly and will enable the minister to request special reports. And finally, enable the Lieutenant Governor in Council to make regulations with respect to the commission and its operation.

That's been a thumbnail sketch as to what the Act is intended to do.

**Mr. Boyd:** — Thank you, Mr. Minister. Section 5 deals with the commission members. It states by OC (order in council) remuneration and reimbursement for travelling and living expenses will be set out.

Do you have any idea what these sums will be?

**Hon. Mr. Lingenfelter:** — As I understand it, there are 2, 4, 6, 8, 10, 12 individuals on the Health Services Utilization and Research Commission — 12 people. And of those, four of them actually get an honorarium. Stewart McMillan gets an annual retainer of \$20,000; Geraldine Dickinson, an honorarium of \$200; and Meredith Moore, \$325; and Richard Twanow, \$325. The balance, eight people, receive no remuneration.

**Mr. Boyd:** — Thank you, Mr. Minister. Section 12 states that the commission may make agreements with any person, agency, organization, association, or institution. Is there any cap on the dollar amount the commission can spend or is it an open, blank cheque

for them?

**Hon. Mr. Lingenfelter:** — Yes, the total budget is 2.1 million. So it's not open-ended at all; it's limited to that budget for the year.

**Mr. Boyd:** — Mr. Minister, in addition the commission can appoint committees, define powers, purchase or lease property. What limits are there on the commission's authority?

**Hon. Mr. Lingenfelter:** — Well the restriction is their budget and also the fact that they, I think, have about \$1 million in direct grants. So that would reduce their operating budget really, if you look at it that way, to about 1.1 million. So that's the global budget that they have to work within.

**Mr. Boyd:** — Thank you, Mr. Minister. I understand that the annual report will be prepared and presented each year. What sort of budget and support staff will be needed to accomplish that goal and will there be any additional positions as a result of that, and what will the costs be?

**Hon. Mr. Lingenfelter:** — There are no additional staff. My understanding is there's 11 people who are employed now doing research. And the annual report preparation and the work done on the annual report will actually be part of their responsibility as well.

Clause 1 agreed to.

Clauses 2 to 19 inclusive agreed to.

**Hon. Mr. Lingenfelter:** — Mr. Chairman, first of all I'd like to thank the officials who came in and helped us out through the Bill.

**Mr. Boyd:** — Thank you, Mr. Chairman. Thank you, Mr. Minister, and to your Health department officials. It must difficult for the Minister of Economic Development to stand in for the two ministers of Health. I guess in light of recent events with respect to gaming, I understand the two Health ministers are probably manning the 1-800 drop-a-buck gaming line these days. So thank you, Mr. Minister.

The committee agreed to report the Bill.

#### **Bill No. 45 — An Act to amend The Child and Family Services Act**

**The Chair:** — I would ask the Minister of Social Services to introduce the officials who join us here for consideration of this Bill.

**Hon. Mr. Pringle:** — Thank you very much, Mr. Chairman. To my right, Neil Yeates, associate deputy minister of Social Services, and directly behind Neil, Dave Hedlund, the director of child and family services. I might just say that the officials have spent some time with the critics briefing them and that we'll be happy to respond to any questions that they may have.

## Clause 1

**Mr. Britton:** — Thank you, Mr. Chairman, and also thank you, Mr. Minister. Indeed we have had some conversation about this Bill and, as I said in second reading, we agree with the thrust of the Bill.

Apparently, as I read it, it creates an alternative to the adoption for extended families and things like that, and I think it's aimed primarily at placing native children with native families and so on. And we did express our support. But I have a couple of questions that I'd like to develop with you.

In second reading, Mr. Minister, you referred to the consultation process and I think you mentioned something about 40 . . . Could you give us an overview of those associations or the groups were included in that?

**Hon. Mr. Pringle:** — Thank you, Mr. Chairman. Yes, you're right. Basically the amendments, apart from some housekeeping amendments, are basically directed towards supporting aboriginal decision making over child care and their family services matters. Consultations occurred with the Federation of Saskatchewan Indian Nations, the Saskatchewan Metis Society, and especially the three tribal councils that we have entered into agreements with — the Touchwood, Meadow Lake, and North Battleford Tribal Councils.

**Mr. Britton:** — Thank you, Mr. Minister. This Bill provides an alternative to certain families. Would you mind telling us what's different and why was it necessary to provide this alternative?

**Hon. Mr. Pringle:** — Basically the main item in the Bill is section 56 which transfers guardianship. This allows us to transfer guardianship for children, who are currently permanently committed to the minister, back to, say, an extended family member or someone in the community, which currently we can't do . . . we cannot do. This allows people to step forth. This allows us to secure permanency planning, long-term placements for children in care.

It also allows us to support the community in responding to the long-term care needs — that is the aboriginal communities — the long-term care needs of their children. So that is the main section in this particular Bill.

**Mr. Britton:** — Thank you, Mr. Minister. I've got to be careful here — I'll tear my ear off.

In second reading, you mentioned something about birth parents also continuing to play a role. Could you just give us an overview of how you see the child's parents having this role . . . (inaudible interjection) . . . Well in your second reading you said that the birth parents would continue to play a key role. Could you explain how you see that role, please?

**Hon. Mr. Pringle:** — Yes, basically what this would require is — regarding the process — is that the . . .

where we can transfer guardianship to a third party. We are not transferring that third party's authority to adopt the child out. The birth parent still requires the approval for that to happen. So that's where the birth parent continues to be involved in decision making. It's in that sense that that involvement is continued.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, you also placed a lot of emphasis on the fact that the transfer of guardianship will be permanent. Does this relate to the role of the birth parent and will this process be reversible? And if a birth parent can prove competency at a later date, do they get a chance to come back and get their child back?

(1245)

**Hon. Mr. Pringle:** — That's a good question, a good point. Certainly at any point, even though guardianship may be transferred over to the minister, at any point, if the circumstances changes with the birth parent, you could go back to the court — this would allow us to go back to the court to initiate the possibility of a transfer of guardianship back. So that would be allowed to be considered, but the court would make that final decision if the situation with the birth parent was such that the needs of the child could be met.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, you also, in the Bill, you go to great lengths to ensure that all interested parties — this is the birth parents, the new permanent family, and the band members — are consulted and are in agreement with the child's placement.

Now we say this is laudable, but how will the situation be handled if there was a conflict between the wishes of the different parties? For an example, if both birth parent and new family were in agreement with the child's placement but the band is not, what do we do in that case?

**Hon. Mr. Pringle:** — Basically what your question I guess, is asking is what happens if? And I think that what we're really trying to do here is to put into the legal framework what already is the practice. And in a sense, when I say we're trying to . . . these amendments are really catching up to what the practice is in the field.

If there is conflict, basically we . . . and there sometimes is. You try and resolve that through consultation, negotiation. The fundamental principle always is the principle of what's in the best interests of the child. And I mean that isn't always agreed to, as to what is in the best interests of the child but I'm advised that we could work that out most of the time, and there are usually arrangements whereby you can . . . maybe you can leave the guardianship the way it is, but make a placement elsewhere. So there always are options through the consultation, discussion, and negotiation process.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, I guess, yes, I guess I was doing a little bit of

“what if”, but I just kind of wanted to know. And you’re telling me that you’re just covering off something that’s already happening — I can accept that.

And while we sometimes don’t like to get into “what ifs”, there is sometimes that you see something that might be happening and we would like to know if you’ve considered it, and apparently you have. And I appreciate that.

And also in this Bill it provides for special monetary support for the new guardians if necessary. And again I would like to ask: at whose discretion will it be given? Will it be yours, or the band’s, or will it be the child and family services? This is kind of a multiple thing, but you could answer it I think fairly . . . Would the guardians not have access to normal benefits? Would the guardians not have access to normal benefits — that is, tax credits, Social Services allowance, and so forth, that are already provided?

In other words, Mr. Minister, can you explain what your view is that the extra . . . the special funding is necessary.

**Hon. Mr. Pringle:** — Yes, basically if the family does not have the resources to look after the child, but they are a loving, caring, supportive family who are willing to take the child, or who may have the child now. And there may be special needs. We’re talking about some situations here where there may be special considerations, special needs.

Right now the option is, if they qualify for assistance, they can get that child added to their budget. But sometimes the resources of a family just aren’t there to take on another family member, another child, yet that may be the right place for the person. It could be an extended family or a good friend or someone on a band.

So it gives us flexibility to support people to take children and to make sure that they’ve got adequate resources to do that. We’re talking about children who have been in the care of the minister, so there is some responsibility that the state has for the well-being, long-term well-being of those children.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, then I think what I hear you saying is, that if there is a child that has maybe handicapped or special social problems that they’d need extra help. Where the normal family services and other things don’t cover it, this will cut in so that that family would have the resources to do that. Thank you. I agree with you on that.

Now there’s one other thing I’d like to know about and it’s on the issue of date of child and family services. How will your department interact with the bands and tribal councils on these matters? What will the funding structure of these agencies be, and will the band and councils be providing any of the funding? Will they have to come in on that to give you some help financially?

**Hon. Mr. Pringle:** — Yes, actually our . . . in signing these agreements with the tribal councils, in a sense what we’re really doing is just transferring over the legal authority to the agencies. And because they’re treaty families, these are bands, the federal government then is picking up the cost of these agencies, not the province. Unless, for example, there would be one of our children there, they would provide a service and then we would be billed. But there’s always a way to work out those arrangements. But by and large, in signing the agreements, these become federally funded family, children service agencies on the reserves.

**Mr. Britton:** — Thank you, Mr. Chairman. Mr. Minister, at this time that’s all the questions I have.

Clause 1 agreed to.

Clauses 2 to 20 inclusive agreed to.

**Hon. Mr. Pringle:** — Mr. Chairman, before I move to report the Bill, I would just like to thank my officials for their support and all the hard work that the department is doing in not only in this Bill, in the excellent work the department is doing in conjunction with the aboriginal communities. We really appreciate that. And to thank my hon. friend from Wilkie for his interest and very, very important questions and support to this Bill.

**Mr. Britton:** — Before you do that, I would like to add my appreciation to the officials and the minister for bringing in the Bill. And I also want to acknowledge the forethought he had in having a briefing before, and it certainly helped get through. And I want to again say thank you very much.

The committee agreed to report the Bill.

### THIRD READINGS

#### Bill No. 28 — An Act respecting Public Health

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

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

#### Bill No. 29 — An Act respecting the Health Services Utilization and Research Commission

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

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

#### Bill No. 45 — An Act to amend The Child and Family Services Act

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

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

The Assembly adjourned at 1 p.m.