

The Assembly met at 1:30 p.m.

Prayers

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Mr. Osika:** — Thank you, Mr. Speaker. Once again on behalf of many concerned citizens of the province of Saskatchewan, I present a petition concerning the Plains Health Centre in Regina. The prayer reads:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The signatures of concerned citizens are from Moose Jaw, Regina, Milestone, Wilcox, Weyburn, and many other small communities throughout southern Saskatchewan, and in Regina. Thank you, Mr. Speaker.

**Mr. Bjornerud:** — Thank you, Mr. Speaker. I rise today to present petitions of hundreds of names regarding the Plains Health Centre. The prayer reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed the petition, Mr. Speaker, are from numerous southern Saskatchewan towns, and also Regina.

**Ms. Julé:** — Mr. Speaker, I rise today to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed these petitions, Mr. Speaker, are from Regina, Swift Current, Gravelbourg, Vanguard, Neville, and a few more. I so present.

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, I also would like to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

People that have signed the petition, Mr. Speaker, are primarily from Carlyle and Manor. I so present.

**Mr. Gantefoer:** — Thank you, Mr. Speaker. I rise as well to present petitions on behalf of the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The petitions come primarily from the areas around Strasbourg and Earl Grey and also from Regina.

**Ms. Draude:** — Mr. Speaker, I rise today to present names of petitions from people throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider the closure of the Plains Health Centre.

The people that have signed this petition are from Moose Jaw, Regina, and all over southern Saskatchewan.

**Mr. McLane:** — Mr. Speaker, I again rise today to present petitions of names from people throughout Saskatchewan regarding the closure of the Plains Health Centre. The prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

Mr. Speaker, this petition is signed by many concerned and unhappy citizens in the Odessa area.

**Mr. Aldridge:** — Thank you, Mr. Speaker. I rise today to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And the people that have signed these petitions, Mr. Speaker, are from Moose Jaw, Caronport, Regina, Mossbank, just to mention a few.

**Mr. Belanger:** — Mr. Speaker, I rise today to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And the people that have signed the petitions, Mr. Speaker, they're from Regina, they're from Weyburn, Yellow Grass; they're from all throughout Saskatchewan. And I wish to present this petition to the Assembly. Thank you.

**Mr. McPherson:** — Thank you, Mr. Speaker. I too have petitions regarding the Plains Health Centre. The prayer is as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

Mr. Speaker, the people that have signed the petition, mainly from Regina, but I see all throughout southern Saskatchewan — Balcarres, Balgonie, Moose Jaw. I so present.

### READING AND RECEIVING PETITIONS

**Clerk:** — According to order the following petitions have been reviewed, and pursuant to rule 12(7) they are hereby read and received:

Of citizens of the province petitioning the government to take action to allow an increase in the security deposits in rental properties; and

Of citizens petitioning the Assembly to reconsider closure of the Plains Health Centre.

### NOTICES OF MOTIONS AND QUESTIONS

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I give notice that I shall on Monday next ask the government the following question:

To the minister responsible for the Post-Secondary Education and Skills Training regarding former employee, Mr. Michael A. Nelson: (1) according to OC #140/96 dated March 12, 1996, Michael Nelson retired from his position as an instructor, technical institute engineer in 1987. Why did Mr. Nelson received an *ex gratia* payment of \$24,000 this month, almost 10 years after he resigned from his position; (2) are there any other former employees who have resigned over the past 10 years in line to receive similar *ex gratia* payments; (3) how was Mr. Nelson's payment calculated; (4) who approved Mr. Nelson's *ex gratia* payment?

I so submit.

**Ms. Draude:** — Mr. Speaker, to the Premier, regarding political staff and appointments, I give notice that on day no. 22 I shall ask the following question:

How many individuals are currently employed by the Government of Saskatchewan as the result of political appointments; (2) what is the average salary for each of these political appointments; (3) what is the total number of ministerial assistants currently employed by the cabinet ministers; and (4) what is the average salary for these ministerial assistants?

### INTRODUCTION OF GUESTS

**Mr. Flavel:** — Thank you, Mr. Speaker. Mr. Speaker, this afternoon I want to introduce to you and through you to the members of the legislature a class of grade 3 students from Cupar, Saskatchewan. They're situated in the Speaker's gallery. With them today is their teacher, Carol Stuart, Rose Leitchman,

Jean Calibaba, Kevin Krammer, Lynn Chillog, I believe it is.

I will meet with them later and hopefully they won't have too tough of questions for me, and we'll have a photo and so forth and meet with them afterwards. And I want to ask all members to please join with me in welcoming them here.

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

**Ms. Julé:** — Thank you, Mr. Speaker. I am especially pleased today to have a group of students from the Humboldt constituency to introduce this afternoon.

There are 41 grade 8 students, 17 from Bruno and 24 from Cudworth. They are accompanied by their teachers, Mr. Jake Jmaeff from Bruno and Mr. Jim Bridgeman from Cudworth, parents Irene Wurm, Marie Tegenkamp, and Larry Hrycan, and their bus driver from the Alvena Bus Company.

I would like all members to join me in a warm welcome, welcoming the students and the parents to the legislature today.

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

**Mr. Heppner:** — Thank you, Mr. Speaker. I too would like to welcome the students and the adults from Bruno and Cudworth. Having spent part of my teaching career there, I had a very good time. And I should also tell the staff up there, you'd better watch that career; you never know where you'll end up at.

Welcome here.

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

**Mr. Koenker:** — Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to other members of the Assembly, a group of 74 young people from Cardinal Leger School from the College Park area of Saskatoon. They are seated in the west gallery today and are accompanied by teachers Joanne Weninger, Stephanie Hanna, and Gisèle Bettcher; also by chaperon Maureen Duensing.

I'll be very pleased to meet with this energetic group of young people after question period and join them for drinks and a photo.

Thank you, Mr. Speaker.

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

**Mr. Bjornerud:** — Mr. Speaker, I'd also like to introduce some people from the Saltcoats constituency, Dan and Fran Kirkham. They are seed growers in the Saltcoats constituency and one of the larger farmers we have there. And I'd like to, through you, ask everyone to welcome them here today.

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

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker. I would like to introduce to you and to all members of the Assembly, in your gallery, Mr. Speaker, a fellow by the name of Darren Will.

Darren is a farmer in the Eldersley area and he's visiting his brother Michael. And Michael has told him a lot about question period so he thought he'd come and just view it for himself.

Please join with me in welcoming Darren.

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

#### STATEMENTS BY MEMBERS

##### International Day Against Racial Discrimination

**Mr. Kasperski:** — Mr. Speaker, today has been declared by the United Nations as International Day Against Racial Discrimination, a declaration reinforced as well by the Minister of Municipal Government for Saskatchewan.

Mr. Speaker, this day has been set aside for two reasons: to remember, first of all, those killed at Sharpville, South Africa in 1960 in a peaceful demonstration against apartheid, and also to renew our commitment to overcome all forms of discrimination and racism.

Mr. Speaker, this is also a day to meditate on the fact that in the span of recorded history we have come from Eden to Nuremberg, to Sharpville, to Bosnia, to Somalia, to Rwanda — all names which in stark shorthand tell us the consequences of racism, names which remind us why this day is so important to all of us.

But also, Mr. Speaker, this is a day when we can attack discrimination by celebrating the cultural diversity that has so enriched our nation and our province.

The motto of Saskatchewan is, "From Many Peoples, Strength." The roll call of members in this Assembly shows us all the evidence we need to demonstrate this strength of our diversity.

Mr. Speaker, I know all members and all the people of Saskatchewan will recommit themselves on this day, and all days, to the elimination of discrimination from our society.

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

**Mr. Belanger:** — Thank you, Mr. Speaker. I'd also like to recognize today's designation as International Day for the Elimination of Racial Discrimination. It's very appropriate; we have a number of children in the House today.

I stand here as an MLA (Member of the Legislative Assembly) in this Assembly representing thousands of people from a wide range of cultural backgrounds. Yet amazingly, it was only on July 1, 1960 that native people in Saskatchewan actually gained a right to vote in provincial elections. That was only 36 years ago, Mr. Speaker.

Yes, some legal progress has been made but there is still discrimination in other parts of our society, whether that be in the workplace or the playground. We need to teach our children to celebrate racial and cultural differences. It is incredibly sad that anyone would be treated differently just because of their

skin colour, language, or heritage. Our society should appreciate the mosaic of cultures that make Saskatchewan unique and special.

We all live together on this planet, and with all the wars, the thousands of people starving to death, and the senseless acts of violence like the killings in Dunblane, Scotland, the last worry, the last effort that we should put is towards racial discrimination.

(The hon. member spoke for a time in Cree.)

And that in Cree is: we all have to live together; that is the only way.

Thank you, Mr. Speaker.

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

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I would like to as well join with the other MLAs in this Assembly to speak out on this specific day, of International Day for the Elimination of Racial Discrimination.

Mr. Speaker, truly we live in a wonderful land, in a wonderful province. And as we see around us, and around this world, there are many places where people do not have the opportunities, the privileges, the freedoms that we so readily enjoy and take for granted. And we want to indeed acknowledge the fact that, while we have worked towards recognizing the fact that all people are created equal regardless of their race, religion, nationality, or creed, there still are differences and people tend to at times look at other people in a different manner. I think it's certainly appropriate, Mr. Speaker, that we take the time to recognize it's time we overcame these barriers.

And I would also suggest, Mr. Speaker, as I heard on the open line this morning, that we're careful not to include and involve, while we attempt to assimilate all peoples, that we may form a background attempt at discrimination. And I think it is appropriate, Mr. Speaker, that we make a real effort to include all people in society.

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

##### South East Regional Economic Development Authority Officially Opens

**Ms. Bradley:** — Thank you, Mr. Speaker. On Tuesday, March 19, I was pleased to join with the Minister of Economic Development to take part in the official launch of the South East Regional Economic Development Authority in Weyburn, SEREDA.

One of the most important aspects of the REDAs (regional economic development authority) which are being formed across this province is that they involve grass roots decision making. The founding members of the South East REDA include the city of Weyburn, RMs (rural municipality) of Brokenshell, Scott, Wellington, and Weyburn. Also included are the Prairie Farm Rehabilitation Administration, South

Saskatchewan Region; the District 7 Agriculture Development and Diversification Board; Southeast Regional College, Souris Valley Campus; and Saskatchewan Wheat Pool. REDA partners also include the Radville and Weyburn chambers of commerce, and the Hardy and Thorson Law Firm.

Mr. Speaker, by having more regional economic development authorities formed in Saskatchewan, we are creating new jobs and opportunities across Saskatchewan. To date, 13 REDAs have helped established 76 businesses and have created over 300 jobs in Saskatchewan.

I would like to congratulate the South East REDA chairperson, Ted Hillstead, and all of the other stakeholders in the South East REDA, for their hard work in forming the economic development authority. I know the dynamic men and women in this region, by working together, will carry the REDA concept forward to realize its full potential.

Thank you, Mr. Speaker.

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

#### **Students Against Drinking and Driving**

**Ms. Julé:** — Thank you, Mr. Speaker. I would like to recognize the Humboldt chapter of SADD (Students Against Drinking and Driving) for their efforts in promoting awareness of drinking and driving and for their submissions of more than 580 legislative petitions for changes to drunk driving legislation.

The Humboldt chapter was the most vocal of any Saskatchewan SADD group. Friday, March 15, I had the opportunity to speak to the student assembly at the Humboldt Collegiate to kick off Impaired Driving Awareness Week. Following the assembly, more than 200 people took to the streets in their second annual memory march to honour those who have been killed or injured in motor vehicle accidents caused by drinking drivers.

Other activities planned to promote awareness include making presentations about drinking and driving to elementary school classes, and the province-wide activity sound-off, send-off, on March 27 from 12 noon to 12:01.

The Humboldt RCMP (Royal Canadian Mounted Police), ambulance and fire department, will participate in this event. Congratulations to the Humboldt chapter of SADD and president Jeremy Elder. Your hard work and determination have paid off and you have made a great difference.

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

#### **Saskatchewan Heroes**

**Mr. Johnson:** — Mr. Speaker, there are heroes in every corner of this province, ordinary men and women who give of themselves to serve others. I want to pay tribute to two such heroes in my constituency who last July risked their lives to save two other men and are rightfully being honoured for their actions.

Last July 23, Mr. Albert Soucy of Leoville and Brent Turgeon of Spiritwood came upon a vehicle that had just rolled over into the ditch. There were two people trapped inside. The two men . . . they pulled two men from the . . . freed two men from the vehicle, which was totally destroyed by fire after the rescue.

On March 18, Mr. Soucy is being honoured in Leoville by the Royal Canadian Humane Association with a bronze medal for bravery. Mr. Turgeon will be honoured at an event in Spiritwood next month.

Mr. Speaker, I consider myself privileged to represent these two heroes in the Legislative Assembly. Both deserve the warmest applause of this Assembly for their extraordinary courage.

Thank you.

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

#### **Happy Birthday**

**Mr. McLane:** — Thank you, Mr. Speaker. I would like today to recognize the birthday of one of our members. This man is truly amazing. He skates like a 16-year-old. He plays basketball like a 26-year-old. But he's really just a 36-year-old MLA. And the people of Yellow Grass, brown grass, green grass and crab-grass, not to leave out quack grass, have all joined us in wishing Buckley Belanger a happy birthday.

Buckley, we just want you to know that our dog is definitely in this fight.

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

#### **Gas Price Increases**

**Mr. Trew:** — Thank you, Mr. Speaker. You know, for years oil companies have told us that the price we pay at gas pumps is directly related to three variables: first the well-head prices; second, government taxes; and thirdly, competition.

On March 20, gas pump prices at every Regina service station I've seen, and I've been looking, shot up 5 cents a litre. Within minutes all the prices went up the same 5 cents a litre. Why?

Well firstly, well-head prices have been stable for the last year. That leaves yesterday's 5 cent increase unexplained.

Secondly, the last federal gasoline tax increase was in 1995 and the last provincial bump was in 1993. This still leaves the 5 cents unexplained.

Competition is the third and remaining variable. Everyone of course knows and accepts that there is keen competition between all the oil companies. This likely explains why when one company raises the price by 5 cents, the others instantly make the same move to keep up with the competition.

Therefore, Mr. Speaker, since we have keen, free enterprise industry competition with no price fixing, yet gasoline pump prices jumped within minutes at virtually all Regina stations,

the question remains: why the 5 cent jump? Do any oil company executives have a new, more creative answer for the motoring public?

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

## ORAL QUESTIONS

### Health Administration

**Mr. Aldridge:** — Thank you, Mr. Speaker. Mr. Speaker, I asked the Minister of Health a number of questions in this House yesterday about his government's spending choices. I called on the minister to justify paying tens of thousands of dollars to consultants to study Providence Place in Moose Jaw. The minister responded by stating, and I quote:

... if I'm not paying the consultants the money, obviously it isn't my place to justify paying the money because that is a decision of the local district health board.

Well, Mr. Speaker, it was not the district health board that hired these consultants, it was the Health department. Will the minister explain if he was intentionally trying to mislead the House?

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

**The Speaker:** — Order, order. Now I think the member will be aware that the rules of the House do not permit one to do indirectly what one is not allowed to do directly. And it is clearly — order — and it is clearly not permissible with the rules of the House to accuse a member of intentionally misleading the House.

I will ask the member to withdraw that unparliamentary remark and rephrase his question succinctly and we'll proceed from there. Or I will go to another questioner.

**Mr. Aldridge:** — Mr. Speaker, I'll withdraw that question, but I would still like the minister to clarify his statement that he made in the House yesterday.

**Hon. Mr. Cline:** — Yes, Mr. Speaker, I thank the member for the opportunity to clarify the statement I made in the House yesterday. What I said yesterday was substantially correct in that it was the Providence board and the Moose Jaw Health District that asked for a study to be conducted.

Where I was incorrect, however, is that the department did pay for the consultant on behalf of Moose Jaw rather than having Moose Jaw foot the bill. So I was incorrect in that regard, unintentionally. I apologize to the member and I apologize to the House.

And now I'd like to know if the member from Wood River, who told us yesterday that a woman had received a \$17,000 increase and identified her, is going to apologize, since it turns out that the first year she was off work for three months and not paid. The second year she worked a full year; that's why she got paid her full salary. She didn't get any increase. And I'd

like to know if that member is going to apologize for that information, Mr. Speaker.

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

**Mr. Aldridge:** — Thank you, Mr. Speaker. I wonder if the Minister of Health, when he mentions he was substantially correct, does that mean being stingy with the truth? But, Mr. Speaker, in today's edition of the Regina *Leader-Post*, John Borody, executive director of the Moose Jaw/Thunder Creek District Health Board confirms, and I quote, "It is the health department that is picking up the consultants' tabs".

Mr. Speaker, will the minister explain why he does not know what is going on in his own department and apologize completely for the comments he made in the House yesterday?

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

**Hon. Mr. Cline:** — Mr. Speaker, I apologized to the member. I apologize to the House. And I suggest that when other members make statements in the House which are incorrect they should do likewise and also apologize.

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

**Mr. Aldridge:** — Mr. Speaker, as my colleague mentioned yesterday, the NDP (New Democratic Party) government's district support branch, another level of bureaucracy created by this government, has an annual payroll of \$1.2 million. Coincidentally, this is the same amount of money needed to run the geriatric and rehabilitation unit at Providence Place in Moose Jaw.

Mr. Speaker, this facility will be cut off from government funding at the end of this month because the government has decided to break yet another promise and cancel funding. Will the minister commit to eliminating the district support branch and use these valuable health dollars for the purpose they are intended — to care for our sick and our elderly and maintain funding for the geriatric and rehabilitation unit?

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

**Hon. Mr. Cline:** — I find it strange, Mr. Speaker, that the member, like the member from Wood River yesterday, says that we created a new branch called the district support branch. But what the member does not say is that the district support branch, when it was created in 1993, replaced six other branches, namely the rural health facilities branch, the continuing care branch, the urban hospitals branch, the mental health branch, the community health treatment and prevention services branch. Those branches were abolished and rolled into one branch.

And these members get up and say when you replace six branches with one you're creating a new level of bureaucracy. No, Mr. Speaker, we eliminated five levels of bureaucracy to create the district support branch and I think the members over there should come clean with the people of the province, because we've been reducing the administration in the

Department of Health and in the health districts, and this information that they're putting out is bogus information, Mr. Speaker.

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

**Mr. McPherson:** — Thank you, Mr. Speaker. Obviously the minister shouldn't work with too many details; it gets him into more problems than he can handle.

Mr. Speaker, as my colleague from Thunder Creek has demonstrated, the Minister of Health appears to have no knowledge of what is happening in his own department, and the contempt that his department continues to show should surprise no one. However I've discovered yet another move by his department that is to say at least surprising.

Mr. Speaker, the March 13 edition of the *Moose Jaw Times Herald* — and I have a copy of it here that I would like to send over to the minister so he could follow along — it's a news item titled "There's life after the pink slip," which explains that a Mr. Bert Linklater was recently let go by the Moose Jaw/Thunder Creek District Health Board because, and I quote: ". . . the board's desire to streamline its administrative structure and reduce costs". Now we find that Mr. Linklater is joining the list of bureaucrats serving in the district support branch that I questioned the minister about yesterday.

Mr. Speaker, district health boards are attempting to . . .

**The Speaker:** — Order. I'll ask the member to put his question. Order. I'll ask the member to put his question directly.

**Mr. McPherson:** — Thank you, Mr. Speaker. Will the minister explain why his department is then going out and rehiring the same people that the district health boards let go to save money and stop firing nurses.

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

**Hon. Mr. Cline:** — Well the member knows a lot about firing leaders, Mr. Speaker. But I want to say to the House that one has to be very careful when dealing with the question from the member, because the member was in here yesterday talking about the same matter. And he said that there was a woman in the district support branch, the branch he's talking about, that had got a \$17,000 pay increase, Mr. Speaker.

And I thought, well I should check into that. So I did. And I found out that that woman had been on an unpaid leave of absence for personal reasons for 3 months in the first year and worked 12 months in the second year.

So she got paid for the first 12 months in the second year and 9 months in the first year, which is understandable. And what does the member do? He comes into this House and says that this woman who got paid when she worked and didn't get paid when she didn't work, got a big raise.

And I say that this information presented by this member is bogus. And I apologized when I had it wrong and I say that

member should apologize when he's got it wrong.

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

### Correctional Policies

**Mr. Osika:** — Thank you, Mr. Speaker. Mr. Speaker, a question to the Minister of Justice.

Mr. Speaker, this government has been patting itself on the back lately because it claims to be listening to the people of Saskatchewan. In fact the Premier spent \$30,000 to go on television to tell the people how he's listening to them. Yet every day we see again and again how this government is deaf when it comes to what the people are saying.

The people are saying loud and clear that we should be getting tougher on criminals, not softer. Let them pay for their crime. Yet now we see this government prepared to let criminals out of provincial jails early as a cost-cutting measure.

Can the Justice minister tell us if this is what the people of Saskatchewan told him they wanted during the taxpayer-funded road show he was part of in January?

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

**Hon. Mr. Nilson:** — Thank you, Mr. Speaker, and I thank the hon. member for his question. And I guess I continually remind myself that I have a great deal of respect for the hon. member because of his long career with the police force. And so I do appreciate these questions.

The whole concern we have in this province is that the community and people should be protected. Now correctional centres are a part of this whole public protection, and they should be used where they're most effective — for those people who are high-risk and who are going to be a risk in the community. They're not places where we should put people who are low-risk and who are not going to cause a problem in the community.

The people of our province have said very clearly that they want a justice system that responds to the communities, and that's what we are going to provide.

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

**Mr. Osika:** — Thank you, Mr. Speaker. I appreciate the Justice minister's response, and I agree with what he is telling us. But as an ex-member of the RCMP I can again tell you personally about the thousands and thousands of dollars that are spent investigating crimes, catching criminals, ensuring they are put away to serve their time through the criminal justice process. We have a government that's dragging its heels on legislation relating to pedophiles, and yet they're prepared to put more criminals on the street.

Mr. Minister, did the people really tell you they wanted this government's priorities to be fire nurses or teachers and let criminals out early? Is that what they told us, Mr. Minister?

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

**Hon. Mr. Nilson:** — Mr. Speaker, I'd like to thank the hon. member for that question as well. And I guess I'd have to say quite frankly I'm surprised by the tone, given the sort of even-handed perspective that I've seen him use on many different matters. So unfortunately maybe he has to read those questions as part of his new job.

But what I need, I think what everybody in Saskatchewan needs, to know is that we have one of the highest incarceration rates in Canada. We are locking up people in a fashion that is way above and beyond what we should be.

Because of that and because of many things that the people in the community are saying, including the fact that it costs us \$86 a day to lock people up, they're saying let's use our money more efficiently. Let's look at how we can make sure that offenders are held accountable for what happens or what they've done in the community, but also let's make sure that we as a community are responsible in how we spend our money and how we use our justice money.

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

#### Taxpayer Protection

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, my questions this afternoon are for the Premier or his designate.

Mr. Premier, this morning the Saskatchewan taxpayers association delivered 28,000 names on petitions to your office calling upon you to pass a taxpayers' protection Act. Taxpayers in this province believe your balanced budget legislation is too weak compared to other provinces and they want to see it strengthened. Taxpayers want a guarantee that this government will not raise taxes without consent in a province-wide referendum, Mr. Speaker.

And it's a legitimate concern when taxpayers hear the Finance minister saying tax relief is overrated as a way in helping the economy. I guess that's why in Alberta they've created 100,000 jobs in the last while; in Saskatchewan we're actually losing jobs, or creating very few.

Mr. Minister, will you listen to the thousands of Saskatchewan people who signed a petition? Will you make the necessary amendments to strengthen Saskatchewan's balanced budget legislation?

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

**Hon. Ms. MacKinnon:** — I thank the member opposite for that question. Mr. Speaker, we have, I think, very good balanced budget legislation in this province. We were the first province in Canada to balance our budget, and last year was the first time that the province's debt has declined in over 40-some years.

I would say it's very easy for people to sit on the sidelines and give advice, and I very rarely get into personalities, but we do have to look at the person that we're dealing with here. This is

Moira Wright who does have a track record. This person was an executive assistant to the Minister of Finance in the 1980s when this province racked up, on average, a billion dollars in debt.

So I'll tell you, Mr. Speaker, we take advice from all kinds of people in the province, but I can assure you that we're not going to be listening very carefully to what Moira Wright says.

We balanced the budget. We paid down the debt. We will continue on that track.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. I know the minister doesn't think too much of the taxpayers' association. Well they don't think too much of you, Madam Minister, either, taking a \$4,400 windfall.

Madam Minister, if you're not prepared to introduce a taxpayer protection Act, we are. Immediately after question period, I'll be fulfilling a pledge that I signed and the former leader of the Liberal Party signed during the election campaign to introduce a meaningful taxpayer protection Act, an Act that forces government to get the public's consent before raising taxes.

Madam Minister, will you support that legislation?

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

**Hon. Ms. MacKinnon:** — Mr. Speaker, you always have to have a sense of humour when you have the Tory Party of Saskatchewan giving financial advice. Now I know they don't want to talk about the 1980s but we would stop talking about the '80s if they would quit acting like the '80s.

Recently one member of your caucus said what he wanted to do was sell Cameco shares and spend the money, *Star-Phoenix* said, "in an astounding return to the line of reasoning used by Devine to mire Saskatchewan in the quagmire of debt." The member opposite said, let's find some assets, let's sell them, and let's spend the money.

The Tories have taught Saskatchewan residents something, as the *Star-Phoenix* said.

The Tories have taught Saskatchewan residents that the biggest obstacle to their economic well-being is the monstrous accumulated debt which will suck \$850 million out of this province this year.

Mr. Speaker, we balanced the budget; we will continue to do that. And we don't need advice from them and their record.

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

#### SaskPower Agency System

**Mr. D'Autremont:** — Thank you, Mr. Speaker. My question is to the minister . . .

**The Speaker:** — Order, order. I don't like to interrupt the

proceedings of question period, but I'm having a very difficult time. I literally cannot hear the member from Cannington from here. I'm not looking . . . Order. The Speaker's not seeking advice from any of the members. I am seeking the cooperation of the members.

I'll ask the member from Cannington to put his question.

**Mr. D'Autremont:** — Thank you, Mr. Speaker. Stomach rumblings seem to have a problem over there. Mr. Speaker, my question is to the minister responsible for SaskPower.

Mr. Minister, it now appears that you and Jack Messer have cooked up another attack on rural Saskatchewan. You've terminated all the non-commissioned agents as of March 31 this year.

Mr. Minister, these people provide a valuable service to many small towns. They collect payments for SaskPower bills, and they do it absolutely free of charge. SaskPower doesn't pay these people a thing — not one thin dime.

Mr. Minister, why are you cancelling a service that many rural people appreciate and doesn't cost SaskPower a thing? Isn't this simply one more NDP attack on rural Saskatchewan?

**Hon. Mr. Anguish:** — I'd like to thank the hon. member for his question, and certainly there is no attack on rural Saskatchewan by this government or any of its agencies.

I would say that part of the agency system throughout Saskatchewan has been reviewed by the employees of SaskPower, by the government, by the SaskPower board, and we do find that there are other options in which people can pay their bills. They can direct mail, they can have pre-authorized withdrawals from their accounts for their power bills; so there are many other options there.

And I would want the hon. members opposite to recognize that all of our Crown corporations are under changing times and we're preparing our Crown corporations to deal with the future challenges and to go forward in providing good service to Saskatchewan residents, as they have in the past.

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

**Mr. D'Autremont:** — Thank you, Mr. Speaker. What we have here is the same organ-grinder and the same chimp, who's stripping Saskatchewan of its services.

Mr. Minister, yesterday we spoke to one of the non-commissioned agents in Dodsland. He said people in Dodsland, particularly the seniors, appreciate this local service. Now they have to travel to Kerrobert to pay their SaskPower bills and that office will be soon closed. And the thing that doesn't make any sense about this, Mr. Speaker, is it's not costing SaskPower a thing. Well I should correct myself on that. Actually the agent said that there was a cost to SaskPower because they bought a rubber stamp a couple of years ago to say "paid" on the bill, and that they were going to come and pick this stamp up when the office closes. I wonder how much

that's going to cost.

Mr. Minister, these agents provide a valuable service. They do it for free. Why don't you leave them alone and stop your revengeful attack on rural Saskatchewan?

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

**Hon. Mr. Anguish:** — Mr. Speaker, the member states some things that are not completely accurate when he states that members have to travel to different communities to pay their accounts with SaskPower. This is just not the case. There are options of mailing in the bill; there's the option of having pre-authorization for the money to be taken directly from the account. And if members looked at the future of technology in years to come, they'll be able to pay those bills from the comfort of their own living-room.

So there are many other options and I don't want the people of Saskatchewan to not understand that there are always options there. And we're understanding of rural Saskatchewan.

It's not us that tried to decimate the processes within this province. It's the previous administration, of which those are members who represent the same political party here in third-party status today in the legislature — all five of them, Mr. Speaker.

I'd like to also remind the member, in terms of process, in terms of government, in terms of business, anytime you have a process, there is a cost attached to it. This is not something that has been changed to harm anybody in Saskatchewan. It's changed to prepare us for the future so we can be competitive and we can provide the service Saskatchewan people are used to.

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

### Teacher Bargaining Process

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, it is Education Week and I think it's time someone asked this government why it is so indifferent to the plight of our entire education system.

On December 31, 1994, the contract between the teachers and the SSTA (Saskatchewan School Trustees Association) and government expired. The minister finally admitted that a new protocol agreement was needed, negotiated by a team of trustees and government appointees. Because there has been such a sorry lack of communication on the part of the government, I am asking the minister, why isn't the agreement working as intended?

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

**Hon. Ms. Atkinson:** — Thank you very much, Mr. Speaker. I want to thank the member for that question. As the member knows, it would be inappropriate for us to discuss what's happening at the bargaining table. It could in fact be an unfair labour practice or it could violate the historic arrangements that



we've had at the bargaining table.

So, Mr. Speaker, with that information in mind, I think I will take my place, with all of us understanding that the collective bargaining process is working. They're at the table; they're discussing the issues and we're hopeful that we will have a collective agreement.

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

**Mr. Krawetz:** — Mr. Speaker, the government's wishy-washy policies are confusing everyone. The Premier has said, and I quote: this government is determined that there must be a fair and negotiated agreement.

Well the Education minister may be negotiating, but fair is a different story. She has told teachers they will receive a 2 per cent raise. STF (Saskatchewan Teachers' Federation) president, Dwain Drew, recently stated that negotiations with the government for the 2 per cent hike will be complete. This despite STF . . . SSTA's warning that they can't handle these increases unless the government gives them more money.

Now, before the budget is passed, will the Minister of Education stand up and assure the people of this province that the government will cover all, or at least some, of the additional costs?

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

**Hon. Ms. Atkinson:** — Mr. Speaker, I want to thank the member for the question. Mr. Speaker, I have not told the teachers anything because I am not at the bargaining table. We have officials, along with the Saskatchewan School Trustees Association that form the management team, and they're at the bargaining table.

Mr. Speaker, it would be entirely inappropriate for any minister of the Crown to comment on issues that are presently on the table. And I think, Mr. Speaker, we will leave collective bargaining, not to the floor of the legislature, but to the management committee.

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

**Mr. Krawetz:** — Last question. Thank you, Mr. Speaker. Mr. Speaker, I'm not denying that teachers should be recognized for the valuable contributions that they make to our young people. If there is a negotiated pay increase, so be it. But if this government makes these promises and refuses to back them, teachers and students will be the ones left in the lurch. School boards, whose funding is already strapped, will be forced to cut back and some teachers will be laid off. This is an odd policy for a government that insists it wants to create jobs.

Mr. Speaker, is this government so cowardly that they will sit back and let teachers and school boards be the scapegoats for poor government planning?

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

**Hon. Ms. Atkinson:** — Mr. Speaker, I want to once again thank the member for the question and I just want to reiterate my previous position. It would be entirely inappropriate for members of this Legislative Assembly to come on to the floor of the legislature and negotiate a collective agreement between the Saskatchewan Teachers' Federation and the management committee.

I will just reiterate my previous position, Mr. Speaker. The collective bargaining process is best left to the people at the bargaining table, and that does not include elected members of this Legislative Assembly, and I think the member knows that.

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

## INTRODUCTION OF BILLS

### Bill No. 42 — An Act respecting the Protection of Saskatchewan Taxpayers

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, I would move the first reading of An Act respecting the Protection of Saskatchewan Taxpayers be now read a first time.

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

### Bill No. 43 — An Act respecting the Development, Implementation and Operation of an Emergency 911 System and to make consequential amendments to other Acts

**Hon. Mrs. Teichrob:** — Mr. Speaker, I move that the Bill respecting the Development, Implementation and Operation of an Emergency 911 System and to make consequential amendments to other Acts be now introduced and read the first time.

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

### Bill No. 44 — An Act to amend The Crown Corporations Act, 1993

**Hon. Mr. Wiens:** — Mr. Speaker, I move that a Bill to amend The Crown Corporations Act, 1993 be now introduced and read the first time.

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

### Bill No. 45 — An Act to amend The Tax Enforcement Act and to make a consequential amendment to The Provincial Mediation Board Act

**Hon. Mrs. Teichrob:** — Mr. Speaker, I move that a Bill to amend The Tax Enforcement Act and to make a consequential amendment to The Provincial Mediation Board Act be now introduced and read the first time.

Motion agreed to, the Bill read a first time and ordered to be

read a second time at the next sitting.

**Bill No. 46 — An Act to amend The Municipal Board Act**

**Hon. Mrs. Teichrob:** — Mr. Speaker, I move that a Bill to amend The Municipal Board Act be now introduced and read the first time.

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

**Bill No. 47 — An Act to amend The Agri-Food Act**

**Hon. Mr. Upshall:** — Mr. Speaker, I move the first reading of a Bill to amend The Agri-Food Act now be introduced and read a first time.

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

**Bill No. 48 — A Bill to amend  
The Animal Identification Act**

**Hon. Mr. Upshall:** — Mr. Speaker, I move the first reading of a Bill to amend The Animal Identification Act be now introduced and read a first time.

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

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

**Mr. Van Mulligen:** — Mr. Speaker, I would ask for leave to introduce a guest.

Leave granted.

**INTRODUCTION OF GUESTS**

**Mr. Van Mulligen:** — Thank you, Mr. Speaker, and thank you to the members. I see in the east gallery my constituent and neighbour, John Bryde. John is retired, although judging from the amount of time and energy that he puts into pursuing health matters and issues in the province, you wouldn't know it. He's a real credit to his community and to our province and I would ask the members to welcome John here today.

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

**ORDERS OF THE DAY**

**WRITTEN QUESTIONS**

**Hon. Mr. Shillington:** — I table the answer to question no. 15.

**The Speaker:** — The answer is tabled.

**Hon. Mr. Shillington:** — Convert.

**The Speaker:** — Question no. 17 is converted to motions for returns (debatable).

Question no. 18 is converted to motions for return (debatable).

Question 19 is converted to motions for return (debatable).

**GOVERNMENT ORDERS**

**SECOND READINGS**

**Bill No. 35 — An Act to amend The SaskEnergy Act**

**Hon. Mr. Anguish:** — Mr. Speaker, today I'm pleased to move second reading of The SaskEnergy Amendment Act, 1996.

Under the current provisions of The SaskEnergy Act, TransGas Limited, a wholly owned subsidiary of SaskEnergy Incorporated, has the exclusive right to transport gas within the province of Saskatchewan. The amendments are intended to clarify the transportation franchise granted to TransGas Limited. Presently the Act defines the TransGas franchise by reference to high-pressure gas transmission lines.

Mr. Speaker, this reference in the definition of the franchise leads to uncertainty. Given the nature of natural gas and its movement, pressure can vary even if the amount is for the same purpose. This makes it difficult to determine a threshold for high pressure for the purpose of TransGas's transportation franchise as currently defined in the legislation. It therefore creates difficulties for a producer to determine where the transportation franchises commence and where they end.

The proposed amendment will remove the reference to high pressure and clarify the franchise by means of more clearly identifying where the franchise starts and where it stops.

The focus will be on the purpose of the pipeline rather than on the pressure of the pipeline. The result of the proposed amendments will be to provide further clarity and certainty for the producer community on the parameters of the transportation franchise, as well as providing flexibility to the producer relating to transportation for the purposes of production operation in the field.

For example, the proposed amendment will allow producers to install and operate gas field compressor boosting stations on existing gathering systems without violating the TransGas franchise. Given the present definition of the franchise, it could be argued that the franchise should begin at the outlet flange of the compressor boosting station. The new definition will make it clear that this is not the case.

The proposed amendments will clarify the interface between the gas transmission and gas storage facilities. While TransGas does not have the exclusive right for gas gathering and storage, the amendments will clarify its exclusive right to transporting gas to and from storage facilities.

The new definition will also give producers the right to transport gas to and from a gas storage facility where the gas storage facility is integrated in a gas gathering and processing system as defined by the Act.

Finally, Mr. Speaker, the proposed amendments will allow a producer to transport gas from its gas gathering and processing system, as defined in the Act, to its own oilfield production facility without concern for violating the franchise. This will allow the producer to operate much more efficiently.

SaskEnergy has worked with the Department of Energy and Mines, the department responsible for issuing permits for new pipelines and for the regulation of the petroleum and natural gas production in the province, to clarify the TransGas franchise and create greater flexibility for producers to run their operations.

Mr. Speaker, having provided the brief overview of the amending legislation, I move second reading of The SaskEnergy Amendment Act.

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

**Mr. Bjornerud:** — Thank you, Mr. Speaker. The SaskEnergy Amendment Act, 1996 is proposing to make changes to some significant aspects of the gas transportation through pipelines in Saskatchewan. Under present laws, TransGas Limited, which is owned by SaskEnergy, currently holds all rights to transport gas through pipelines in Saskatchewan.

Over the years we have seen several private companies move into the Saskatchewan oil and gas industry. Unfortunately, many of these producers have encountered some confusing aspects of this legislation. The most common complaint relating to the gas transportation system is that the franchise is defined according to pipeline pressures. This proposed legislation plans to remove pipeline pressure from the definition of the franchise and will hopefully clear up some of that confusion.

Two other changes are proposed in this amendment and they both deal with TransGas's exclusive right to transport gas in Saskatchewan pipelines. These changes only apply to two specific instances. The first is with respect to transporting gas from its site of origin to an oilfield production facility, all within Saskatchewan. If these are both owned by the same person, TransGas no longer has the exclusive right to transport on those pipelines.

The second circumstance deals with a situation that the site of origin of the gas and the storage facility are integrated into a gathering and processing system. In this case TransGas again loses its exclusive rights. While this would seem to break a long-standing monopoly, the true effects need to be researched further. Therefore, Mr. Speaker, I would like to adjourn debate.

Debate adjourned.

(1430)

**Bill No. 37 — An Act to amend The Water Corporation Act**

**Hon. Mr. Anguish:** — Thank you, Mr. Speaker. It is my pleasure today to move second reading of an amendment to The Water Corporation Act.

The amendment to section 78 of The Water Corporation Act will allow a leasehold interest to be granted in the land forming the bed and shore of a water body, where the interest is for a purpose related to a Crown mineral disposition. This will clear up an inconsistency between The Provincial Lands Act and The Water Corporation Act.

Currently The Provincial Lands Act allows the granting of surface dispositions of the bed and shore of a water body on Crown land. Such Crown-owned beds and shores are administered by Saskatchewan Agriculture and Food or Saskatchewan Environment and Resource Management. The Water Corporation Act, administered by Sask Water, currently prohibits the granting of an exclusive surface disposition of beds and shores of water bodies.

Under the amendment, Agriculture and Food or Saskatchewan Environment and Resource Management would administer the dispositions, while Sask Water would provide input to the lease terms. This will ensure water management concerns are addressed without having to change the environmental approval process.

Mr. Speaker, this amendment will clear up inconsistencies in the legislation. I move second reading of The Water Corporation Amendment Act, 1996.

**Ms. Draude:** — Thank you, Mr. Speaker. I rise today to take a few minutes to discuss the proposed Act to amend The Water Corporation Act.

The purpose of this Bill is to clear up the inconsistencies that currently exist between The Provincial Lands Act and The Water Corporation Act with regard to the lease of bed shores and water bodies relating to the mining industry.

The proposed amendments allow for the lease of shores and water beds where a Crown mineral lease has already been granted. In this, it is specified that the lease must be for a purpose related to a Crown mineral deposit.

The mining industry in this province is a source of great pride to all people who live here. Not only does it provide hundreds of jobs to people all across our province, but it also provides a great deal of revenue through its exports of many of its products, such as potash, uranium and petroleum.

Our province's mineral production was over \$4 billion last year. The potash industry alone exported over \$1 billion worth of goods. You need not look any further than the Toronto Stock Exchange, to see the strength of shares in the Saskatchewan Potash Corporation, to realize the importance of this industry in our province.

As I have said several times in this Assembly, any way that we can eliminate the bureaucratic red tape to encourage and foster economic growth and development is a step in the right direction. I am pleased to see that the government has taken into consideration some vital concerns of one of this province's most important industries.

It would be nice if the government would apply the same type of consultation methods to other industries in this province such as forestry, agriculture, and small business.

The mining industry has obviously been affected by the inconsistencies that exist in current legislation. And as this Bill's purpose is to clear up these things, I see no reason to hold up the debate.

Our caucus will be questioning if farms and ranches will be denied access to water and if the mining will contaminate the water in the future for farmers. We also question whether this new power to grant access to mineral companies to water beds that may be vital to our farming industry is an example of poisoning the interests of one group against another. And we also have to question whether the shores of water bodies belong just to the people the government grants favour to or does it belong to everyone.

But we will not hold up debate any further and this Act should be passed on to the Committee of the Whole.

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

#### **Bill No. 38 — An Act to amend The Power Corporation Act**

**Hon. Mr. Anguish:** — Mr. Speaker, it's my pleasure to move second reading of The Power Corporation Amendment Act, 1996. Mr. Speaker, the safety of people of Saskatchewan has been and must continue to be of utmost importance to our government. We believe that the measures included in this Bill will supplement existing programs and standards, and will thereby enhance safety in and around electrical facilities.

The Power Corporation Amendment Act, as it now reads, provides the authority for SaskPower employees to enter onto a customer's premises for the purpose of inspecting service conditions, reading metres, and, if service is discontinued, to remove the metres and other equipment.

It also provides that the corporation can cut off the electrical supply of energy and steam or discontinue any other service in certain circumstances. There may be, Mr. Speaker, circumstances where a hazardous or emergency situation has been created on a customer's premises; for example, if buildings or equipment may be located dangerously close to electrical equipment such as power lines.

There is no clear statutory authority available for SaskPower employees to take remedial action in such circumstances. It is proposed in these amendments to provide such authority for SaskPower employees. Depending on the particular hazardous or emergency situation, SaskPower employees would have the authority to go onto a customer's property to take whatever action is necessary to deal with these potentially dangerous situations.

If the hazardous or emergency condition is caused by the customer and results in costs are incurred, those costs could be borne by the individual customer. It is hoped that these new

powers will only be utilized in very rare circumstances. The main necessity for these is to ensure that where hazardous or dangerous situations have been identified, that SaskPower employees have the power and the authority to take the necessary steps to remedy the situation and hopefully avoid any personal injury or property damage.

Accordingly, Mr. Speaker, I move second reading of The Power Corporation Amendment Act, 1996.

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

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, we have before this Assembly The Power Corporation Amendment Act. On behalf of my associates in the caucus, I'd like to address a few concerns to this Bill.

Much of this Act is dealing with matters that don't cause much disagreement, as many of the provisions are simply housekeeping. There may even be an area that I think we will find very laudable. Safety should always be the first concern, whether it be the safety of SaskPower employees or the protection of customers and the public at large.

Mr. Speaker, the existing statutes do not provide the proper authority needed for SaskPower employees to enter a customer's premises and to take whatever corrective actions the authorities deem necessary; only when a perilous condition exists on an individual's property.

The proposals in this new Act will provide SaskPower employees the authority to take corrective action they deem necessary, even if that means entering private property. Mr. Speaker, I would like to mention several areas that have caused myself and the Liberal caucus some concern. This authority to SaskPower employees to enter private property and dwellings when they see fit raises some questions as to privacy of the home and to privacy of landowners.

One of the amendments that would allow SaskPower employees to enter a home or private property at any time that they deem reasonable causes me considerable concern. I believe that this treads on dangerous territory. For example, does this mean that a SaskPower employee can appear on my doorstep at any time and demand access to my house? Or for something as minor as reading a meter? After all, it is my house.

We should also consider the rights of people who live alone. I'm sure some of my constituents would be fearful of a stranger demanding access to their home with no advance notice. Even if that person is identified at the doorstep as a SaskPower employee, completely dressed, people still have that reaction to strangers. Some people would consider this a blatant example of the invasion of privacy.

Mr. Speaker, I strongly believe that this Bill needs more careful consideration and I therefore would propose that we adjourn debate.

Debate adjourned.

**Bill No. 39 — An Act to Promote, Develop  
and Sustain Irrigation**

**Hon. Mr. Anguish:** — Thank you, Mr. Speaker. It's my pleasure today to move second reading of The Irrigation Act, 1996.

The Irrigation Act replaces The Water Users Act, the South Saskatchewan River Act, and The Irrigation Districts Act. Consolidation of these three Acts will provide uniform legislation for all irrigators in the province, simplify the administration of irrigation, and allow the establishment of research projects funded, directed, and controlled by irrigators.

This new legislation also allows producers within irrigation districts to opt out of receiving and paying for irrigation services if they choose. Most importantly, however, the new legislation promotes a user-pay model of irrigation development, taking the burden of replacement funding for off-farm projects off the shoulders of the taxpayer. Changing to such a user-pay model is one of the features of this new Act.

Mr. Speaker, Sask Water has discussed this policy extensively with irrigators and they agree that change is needed to allow them to meet the economic challenges of the future. I point out that I believe even the member from Arm River has been consulted as an irrigator in terms of this legislation and we're hoping that they will be supportive of the initiatives contained therein.

There's about 332,000 acres of land currently under irrigation in Saskatchewan. In many cases 100 per cent of the off-farm projects have been paid for by various taxpayers' programs. In fact the province of Saskatchewan has a substantial investment in irrigation, having spent more than \$160 million on irrigation work since 1966.

The existing infrastructure will need to be replaced and/or repaired at some point in the future. Until now funding for the replacement of off-farm works has been variable and often inadequate, posing a barrier to the possible growth of irrigation for economic development within Saskatchewan.

Establishment of a producer-controlled district fund, funded 100 per cent by irrigators, will ensure infrastructure is maintained and available for expansion to meet increased market development opportunities. This will help encourage the production of high value crops like beans and potatoes. It will also mean increased livestock production.

Mr. Speaker, irrigation is a key factor in economic growth of rural Saskatchewan. This new legislation will ensure expansion of the irrigation industry and all the benefits that result.

For example, the Lucky Lake area alone, irrigation has contributed to a number of economic development projects. The Coteau Hills Potato Corporation/Sask Ida Farms project consists of a \$1.4 million seed potato storage facility and 800 acres of seed potatoes.

Birsay Pork Farms and Prairieland Pork Farms, 2.5 million and

1.8 million respectively, were possible because of irrigation development. A feed mill was established in Birsay to supply feed to both pork farms. It purchases all the necessary cereal grains, more than some 200,000 bushels annually, from farmers within a 50-kilometre radius of Birsay.

An airport with a 3,000-foot paved runway was built at Lucky Lake to allow Sask Ida officials and other potential business contacts to see themselves the success stories of the area. A \$1 million SaskTel Mobility cellular tower was built at Lucky Lake in response to the extensive trucking needed to haul potatoes in and out of the area. And a new motel is being built in Lucky Lake to meet the accommodation needs of the increased activity in the area.

(1445)

Irrigation and the resulting potato industry is also credited for allowing the fertilizer and chemical business to remain in a good operating condition in the Lucky Lake area — Mr. Speaker, truly economic development in rural Saskatchewan.

In total, Mr. Speaker, irrigation development in the Lucky Lake area has resulted in more than 110 new jobs in the past two years. This is just one example of how much irrigation has contributed to the economy of our province. It can, and will, contribute much, much more.

By consolidating existing legislation, simplifying administration, and establishing a producer-controlled fund to replace ageing infrastructure, we can look forward to much more success stories like Lucky Lake.

Mr. Speaker, I am pleased to move second reading of The Irrigation Act, 1996.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. I want, first of all, to say, Mr. Speaker, how happy I was to have the opportunity to study the draft Bill as much as two months back. It was certainly a good gesture on the part of whoever provided that service to us. And I'd thank the minister, but I'm not sure that it came from him, but if the credit is due, we'll let him take it.

We definitely appreciate that, because certainly irrigation, Mr. Speaker, is a very important part of Saskatchewan, a semi-arid part of the world. Certainly it's important, as has been demonstrated by those parts of the world where irrigation has been developed better than we've done it here. As the minister has pointed out, certainly at some length, there are many benefits that have been accrued, and certainly there are many more that are coming.

And of course we've seen the example of southern Alberta where irrigation has been developed to a far more intense degree than what we've done. And the benefits certainly do accrue to the province and to the people in general.

And so we definitely want to say to the minister that we support irrigation and irrigation projects. But we took the time, because

we had the opportunity to have the draft legislation available to us, we took the time to study it in some detail. We took that time in consultation with irrigators in south-west Saskatchewan; myself to a great extent, because that, of course, is my area and where we need water probably more than anybody else in the whole province would ever need it.

But there are certain problems that have developed with this piece of legislation. I thought in fairness though to the minister what we should do is to talk to the irrigators and to try to develop two lists — one the positive list and of course the other the negative list — to be fair about it, to compare those things that are good points and then come up with the things that need to be corrected.

We did that with an honest approach; we hope for the minister to reconsider some of the things and some of the ramifications that are built into the legislation. It is obviously not too late at second reading to change some of the aspects of the Bill and the results that it will have on the people that it's directed towards.

And so I just want to go over the good points that we see so that the minister will realize that we're trying to approach this in a fair manner and so that he won't take the notion to just scrap the Bill and change everything.

The good points, Mr. Speaker, that we see for consideration by the minister, is the fact that it does consolidate the three old Acts — The Irrigation Districts Act, The South Saskatchewan River Irrigation Act, and The Water Users Act. And we certainly do appreciate and compliment the minister for that attempt to simplify life in the world around us.

In our caucus, and I think throughout Saskatchewan, people generally believe that simplicity, where possible, is beautiful. And we should attempt to do it in our legislation, to keep life and regulations as simple as we can. And after all, a complicated set of rules only means that people won't understand them and they likely won't abide by them or obey them.

And so we appreciate that fact and we want to compliment the minister for attacking that particular problem in our society and through this Act.

We also looked at the user-pay concept that is approached in this legislation. And we certainly do agree with that concept being developed throughout society. Users of products and goods should pay for them. There's no question about that in our minds. However there are some problems when you approach the user-pay concept. You have to be very, very careful then that the actual users are the people who are getting the benefits that they're paying for.

And if there are accrued benefits to society, then also you must consider that society perhaps should help to pay for some of the costs. And in the context of irrigation, oftentimes I think that is a relevant factor to consider, because oftentimes there are spin-off benefits to society that the irrigators are providing. The minister himself earlier stated how the spin-off effect was going on in the irrigation projects with the new potato growers and all

that. And certainly the fertilizer people are selling fertilizer. And those are accrued benefits to all of society. So the costs should be shared then equally by all of the benefactors.

I want to go quickly through some of the negative points then on the second list that we developed from the minister. And I know that his officials will be watching this and will give it some attention.

The Act goes too far in extending powers to the cabinet and to the minister in charge in terms of the ability to make changes through regulations, which are allowed to be made at the whim of the minister and without consultation, negotiations, or the legislative process of debate.

Now that we referred to section 79 of the Bill, and we would like the minister to take a look at that because we see that as a very negative approach to democracy in general. And we see that ever too often, Mr. Speaker, throughout all of the legislation that this government has brought in over the past four years. Very simply, we have put too much power into the hands of too few people without any possibility that these folks will have to be answerable to anyone. This, simply put, provides the government with a dictatorial power. And quite frankly, we don't believe that people in our society really want to live in a dictatorship, even though a benevolent dictator can be argued to have some benefit. Reality is that we don't live in that kind of a society and I don't think we should try to promote it.

Number two: while the user-pay concept is becoming more readily acceptable in today's society, the connection of the costs incurred by the district consumers providing a direct benefit only to those users, is not made.

In other words, the work of and the results of the spin-off corporations may have many benefits to society but none directly for every district consumer who ultimately pays all of the costs. This is totally unfair. And I think I alluded to that a little earlier, Mr. Speaker, when I pointed out that many of the benefits that these users are providing, are for benefits to other people in society and yet all of the costs are going to accrue to those users. So that simply is not fair.

And I think that the minister has to look at the possibility of sharing those costs, not just with the people that use the water, but with society in general, who benefit. Otherwise the costs will become so prohibitive that I do honestly believe, Mr. Speaker, we will kill the irrigation projects of the future in our province and perhaps many of the ones that exist today.

Number three: this Act, under the guise of user-pay, really provides the government the opportunity to download a very expensive bureaucracy onto the backs of district users, while the district users have absolutely no control over those costs. Where the user is required to pay all of the costs through legislation, they have an inherent democratic right to elect a representation and control.

Through this legislation, as one corporation spins off from the other, representation by the grass roots district consumers is

diffused by government appointees. Now, Mr. Speaker, here is a form of democratic principles being broken down through a back-door approach.

What really happens in this legislation is that you have different corporations that operate different aspects of irrigation, but in the attempt to make it appear that it is democratic and that the democratically elected people are going to operate the process and the grass roots people will elect their own people to run these corporations, the reality is that starts off looking good at the first level, because you have people that are elected. But it also provides in this Act, as I understand it — and I hope I'm wrong — but I understand that the government is going to appoint several people that then will be on that board.

They of course will be experts, and we have nothing wrong with that, but they will be heavily directed towards influencing the vote of those directors in the direction that government policy would generally be favoured. The next step is, of course, another corporation to run another aspect is set up and representation is elected from the first board to go to the second board with yet more government appointees going into the second corporation. The third corporation spins off again with yet another level of government appointees, and of course that's where I talk about the diffusion of the level of precip . . . — I've got this word stuck on my tongue.

**An Hon. Member:** — Participation.

**Mr. Goohsen:** — Participation — right, thanks — the level of participation by the users is gradually watered down, so to speak, and I guess that's appropriate in a irrigation debate.

So that's where the democracy of the thing breaks down. If the primary producers were to elect a majority number to each one of these corporate groups, that would be more fair, Mr. Minister — direct representation by the users who are going to pay the bills. And so we think we should try to work on that part of it.

Under the area of appeals we see as well, Mr. Speaker, some serious problems. Provisions for appeals on questions of law only is totally unacceptable in this Act. It provides the government with hired bureaucrats the power to make a ruling that a district consumer, an irrigating farmer, must give up the rights to water which can be then be given to another farmer. This could be done on the basis of friendship, political favouritism, or bribery, with no recourse by the farmer who lost his water rights and who will be stuck with the expensive investments in equipment and land preparation — for an example, the right to rule that a farmer's land is no longer suitable for irrigation without appeal as is referred to under section 37(1).

The reality, Mr. Minister, is here that you have opened the system up to abuse here, and while we would hope that that might never happen, obviously when the door's open there's a very good chance that abuse could occur. And it is very likely to happen without your knowledge even or without the government ever intending it to happen.

In a local district someone may have a friend who would like to

get irrigation water. There may be that all of the water available is already being spoken for and being used up. In order to free up some water for a friend, the people in charge at that local level might decide well, Joe Blow down the road has irrigation, he's got an irrigation project, but we'll just say that his land is no longer suitable for irrigation and take away his share of the water and give it to our friend. That could happen in this process because the appeal process is not really strong enough to deal with this issue.

There needs to be provisions for an independent appeal board with a mandate to consider every area of dispute with no court costs to the farmer. The Surface Rights Arbitration Board, as it operated between 1972 and 1982, should be used as a working model to be followed and duplicated — a farmer's problems judged by his peers with the power to order settlements without involving the court system, especially the very expensive process of the Court of Queen's Bench, which places a farmer in the very vulnerable position of being challenged to the Supreme Court.

The fear of these costs, which will bankrupt most farmers, will intimidate offended farmers into submission without justice.

Mr. Minister, I would suggest that your colleague — sometimes referred to now as the perogy king but more appropriately known as the House Leader for your party — should be consulted in this matter. Because to give credit where credit is due, during the 1970s I sat in on a couple of meetings — he probably wouldn't have remembered me but he might — where we dealt with the Surface Rights Arbitration Board and these very same kind of problems of finding ways to give farmers access to appeal without having to risk the financial loss of the court system that could cost them their farms.

I believe that that process was good, even though you people were involved heavily in putting it into place. I think perhaps again maybe you should look back at that part of what you did in the 1970s. I know there are a lot of people that will criticize a lot of things you did, but certainly I think the farmers of Saskatchewan that were involved appreciated the efforts that were made there. And they certainly have worked well for many years for many people.

And I believe that that kind of an approach can work in this situation to provide fairness to the farmers involved. And you might even be able to use that very same board simply by amending the Act to give it the power to act on these matters and then maybe a provision to have some irrigators put on a panel that would sit with the chairman or something to deal with these very same problems.

Because of the small numbers of farmers involved in irrigation in Saskatchewan, no great political wave can be expected. However, the results of this legislation as proposed will be as devastating to water users over time as the recent changes to The Workers' Compensation Act were to the business people in this province. It is imperative that a campaign be mounted to protect this minority group before this Act becomes law, as this group has very little power to defend itself. Very simply put, Mr. Minister, I think you understand that that is a fact.

You have changed a law very significantly that will affect a few people very dramatically, but they are not big in numbers and they do not have a lot of political clout. They probably don't have a lot of money and they likely can't stand out here and picket your offices.

I think they pretty well have to depend on myself and perhaps a few speakers from the official opposition to bring this message, because there really isn't very much of a vehicle for them to place political pressure on you. That is fairly obvious. And so we have to appeal to your sense of common decency as a politician who would intend to do the right thing by the people in Saskatchewan.

And so I do believe that the Liberal Party wants to speak and adjourn this debate. If they are prepared to adjourn debate, I will sit down and allow them to do that. Otherwise I would have done that. And I'll thank the minister.

(1500)

**Ms. Draude:** — Thank you, Mr. Speaker. I too would like to take a few minutes today to discuss Bill No. 39, The Irrigation Act, on behalf of the Liberal caucus. I am going to be saying some of the things that our colleague has said.

As the government is well aware, this Act will replace the three existing Acts — The Water Users Act, the South Saskatchewan River Act, and The Irrigation Districts Act.

The members of the Liberal caucus do have some concerns of the consequences of this proposed Bill.

The proposed Irrigation Act will consolidate irrigation districts and will have them all governed by the same legislation. But the suggestion that this Act will simplify the administration of irrigation in our province is up to question. Consolidate, yes; simplify, maybe.

It appears to me and to my caucus members that this Bill is another example of the provincial government downloading onto municipalities. It is an attempt by the provincial government to distance themselves from yet another complex and controversial administration process.

We agree that the proposed legislation will provide uniformity for all people involved in irrigation in Saskatchewan, but whether or not the process will be simplified is up in the air. The Act is supposed to promote a user-pay model of irrigation development, giving the irrigators direct control of what is to be done in each district. If we really think about it, when was the last time that any government-owned corporation, such as that administering this Act, will let go of all financial control.

Apart from my concerns over the simplification of the administration, I am not entirely sure that all districts and corporations involved are willing or able to cooperate in a manner that will effectively promote sustainable irrigation for farmers of our province.

I have several other concerns with this proposed legislation.

What are we losing by dismantling three Acts and replacing them with only one? Will anyone be left out in the cold? This Bill proposes that by establishing producer-controlled districts and funds that are financed entirely by irrigators themselves, that the infrastructure will be properly maintained and that it will be more open to expansion as the market grows.

With Saskatchewan crop year only weeks away, most farmers have already had their seeding operations planned for the year. That includes cultivation and irrigation if necessary. This Act would come into force on proclamation. With all the reorganization that needs to be done, and the certain amount of confusion that this Bill will undoubtedly trigger, it is simply not feasible to push it through without further consultation.

More time is definitely needed to consult stakeholders who will be affected by these large and complex changes being established in order to make the government's life simpler. With over 332,000 acres of land in Saskatchewan under irrigation and millions of dollars being spent annually on the irrigation process in this province, this legislation needs to be looked at carefully to ensure that no one who is currently covered and regulated by The Water Users Act, the South Saskatchewan River Act, and Irrigation Districts Act will be passed over in the new legislation.

Because the applications of this Bill are far-reaching and it appears to be an exercise by government to download responsibilities, I move that further debate on this Bill be adjourned.

Debate adjourned.

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 14

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Calvert, that **Bill No. 14 — An Act to amend The Saskatchewan Income Plan Act** be now read a second time.

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

#### Bill No. 8

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lingenfelter that **Bill No. 8 — An Act to amend The Saskatchewan Opportunities Corporation Act** be now read a second time.

**Ms. Draude:** — Mr. Speaker, I am pleased to have the opportunity to further discuss the amendments to the proposed Saskatchewan Opportunities Corporation with the Assembly.

Yesterday I commented . . .

**The Speaker:** — Order, order. I'm sure that the members will



want to take a little more interest in the comments of the member from Kelvington-Wadena than they're allowing her to make here and I'll ask the Assembly to come to order and allow the member from Kelvington-Wadena to proceed.

**Ms. Draude:** — Mr. Speaker, I really do want to speak further to this amendment. Yesterday I commented that \$200 million involved with SOCO (Saskatchewan Opportunities Corporation) could be spent more wisely by helping all businesses through general tax cuts.

The minister in charge of Economic Development is obviously trying in his own way to get this economy on its feet. But obviously, the few businesses he has dealt with through SOCO are just a small number of the businesses in this province and they may be happy with his intercession. But, Mr. Speaker, the minister, no matter how well-meaning he is trying to be, cannot help every single business on an individual basis.

The only way the minister can help all business in this province is to create legislation, environment, and attitude in this province to allow businesses to help themselves. If the minister was really in touch with the business people, he would know that the barriers to success that his government has put up since the election in 1991 has done a thousandfold more damage to this province than one Crown corporation could possibly help.

I'm referring to things like increases in the PST (provincial sales tax). I'm referring to things like increases in the utility rates, increases in workmen's compensation rates, increases in the cost of labour regulations, and increases to taxpayers as a whole due to the Crown tendering policy. And the list goes on.

The first item I mentioned, the increase in PST rates, along with the other burdens in this province, has done more damage to the economy than any one government department or Crown could help. The CFIB (Canadian Federation of Independent Business) conducted direct surveys with 748 businesses. And out of that, 81.4 per cent of these businesses reported that concerns over the total provincial tax burden was the top priority issue for independent owners in the province.

It was interesting to note, when the Finance minister did her little tour that cost the province big money, she did not ask people certain questions. She did not ask them if tax cuts were desired. Later she commented that tax cuts were not high priority items brought up in the consultations because people didn't comment that way. I sort of liken it to talking to my children: when I don't want to hear the answer, I don't ask the question. And I think that's sort of what the minister was doing.

High provincial sales tax charges are not just hurting businesses that are close to the border. I would like to ask the Minister of Finance for the government's estimation of how much revenue is being lost because of these high rates. Probably more than we take in with our 9 per cent.

People from as far away as Porcupine Plain and Wadena, in my constituency, buy household items like washers and dryers, they buy computers, they buy clothes, and they buy anything they can fit into the back of their truck or in their trunk to save

9 per cent when they go to Alberta. And, Mr. Speaker, I don't blame them. They go to Alberta quite often. They have to go there to visit their children anyway, so they can pay for their gas with their sales tax savings.

Businesses like the one I am part of have to compete with Alberta firms on a daily basis. We manufacture playground equipment, Mr. Speaker, and we have to compete against three companies in Alberta. The money that people use to buy playground equipment is usually raised by clubs like the Kinsmen and Elks club, and they put on hot dog sales and they do fund-raising events in order to raise money.

And usually a sale is in the area of \$10,000. A \$10,000 sale means \$900 in provincial sales tax. That's a lot of hot dog sales and that's a lot of money. And people have to decide whether they should be spending that money and giving it to this government to spend or whether they should be buying extra equipment for their playground. And I don't blame them when they decide to buy extra equipment.

Mr. Speaker, this government cannot audit every club, search every car, or check every Visa slip to see if some grandma went over the border to buy their grandchild a birthday present and saved 9 per cent, although maybe that's what the minister wants to do. Maybe that's how he is going to get 30,000 people working by the end of this decade; he's going to have a PST police. But that doesn't sound like a sustainable job to me.

Mr. Speaker, every 1 per cent of sales tax brings in \$80 million in revenue. How much of that \$80 million is spent on ventures like SOCO to help precious few businesses, or things like trips to Cuba where we can only hope to see some economic growth in the future.

Selling Crown corporations and further privatization to pay down the debt would provide the climate for fiscal security and lower taxes in the years ahead. The concerns business people have with the magnitude of the debt and a very slow pay-down of the debt continues to depress the economic attitude in this province.

Will the minister tell me how much the direct grants to megaprojects and government advertising cost each taxpayer? I'll bet it's enough to knock another couple of percentages off the PST rate. There are things that this government can be doing today with \$200 million that would help the whole economy.

Mr. Speaker, the money involving SOCO is a waste of taxpayers' dollars. It is not a benefit to the seniors in Rose Valley who have just lost their hospital. It's not a benefit to the kids that are going to school in Pleasantdale but they have a threat of their school being closed. And it's not a benefit to farmers who are trying to find the cash to put their crops in. It only benefits a very few people in the province.

I'm asking the minister to take a look at the whole Act. I'm asking him if additional monies that are being put into SOCO is making it look like just another rendition of SEDCO (Saskatchewan Economic Development Corporation). I'm

asking him to decide if SOCO is really what the people of this province asked for when they did their little tour around the province here in January.

I suggest that we tear up the whole Act and put the money into creating an environment for economic growth for the whole province. Thank you.

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

**Mr. Gantefoer:** — Thank you very much, Mr. Speaker. I too would like to join the debate in regard to the proposed amendments.

Mr. Speaker, I think one of the fundamental things that this government has lost over the years is really the fundamental belief in how they should operate in a business climate. They were born in an era where the job that they had and the fundamental purpose that they saw themselves undertaking was to redistribute wealth, not to create it. And fundamentally that has permeated the thinking of this government over the years.

And I really find that that is a strange thing because it isn't only this government that has fallen into that mind-set trap. It's all governments in general. We get wrapped up in the marble palaces here across this country, across North America, and we actually start to believe that we are the people that are doing the positive things out in our jurisdictions. And that simply isn't true.

The best we can hope to do is to create — and I think I'm quoting from the mandate — is to create, encourage, and facilitate business opportunities in Saskatchewan. And that's a very laudable and noble cause. The problem with it is, is we're part of the problem generally; we're not part of the solution. And what happens, we end up, well-intentioned as we may, to develop all kinds of things that ultimately become stumbling blocks to those very laudable objectives. And I think that that is something that is true generally, not just specific to this government. But I believe that this government is guilty of falling into the trap to a greater degree than what is necessary or they should.

What we have to understand, that in our province, in our country, economic activity and opportunities are not created by governments — they are created by ordinary people who have the spirit of entrepreneurship; who have a belief and a dream in a product that they might have invented, a product that they might want to sell; a way of doing things better. They have some kind of an urge that is almost undefinable that allows them to want to create an opportunity.

And that is what really is the underpinning of an economy, that's an underpinning of a province. And what we have to do as legislators is look at what we're doing over the years and get out of the road.

And so very often you see comparisons between one part of this country and the other. And the comparisons are valid. I recall when I was first oriented to the new job of being an MLA, as part of the orientation they explained why this building is so

magnificent. Why when it was built that architects and the dreamers of this were looking at Saskatchewan to become a province that was going to be unheralded and the major, dominant province in the Prairies. And that was the reason, it was explained to us, that this building was going to be so magnificent, because the role of Saskatchewan was going to be beyond what was imagined for Manitoba or Alberta.

(1515)

And what's happened? I mean we've ended up virtually stagnant. Over the 75 years our population has really not grown at all appreciably. Yet our neighbour to the west has what — tripled or quadrupled in size? What's happened? Where is the difference? What's happened to make that kind of a dream 75 years ago no longer valid?

And I guess what it is, is a number of things that we've fallen into and I'd like to just briefly touch on a few of them. We've fallen into the trap of thinking that the best way to deal with problems is not deal with the expenditure side of the ledger, but to deal with the income side. And so we've allowed ourselves increased taxes, increased fees and rates on almost every level that has sort of insidiously crept into things. So now when we're looking at things globally, we are no longer competitive and we have an oppressive tax structure.

And, Mr. Speaker, that isn't something any longer that we have to worry about just vis-a-vis ourselves and Alberta. We have to worry about that right across the global economy because entrepreneurs are no longer just the ma and pop operation that our parents may have been with their corner store. They are multinational, multidimensional entrepreneurs who have absolutely no loyalty to anything except competitive advantage. And so when they look at our province and they see the oppressive tax and fee structures they say, why do I want to go to Saskatchewan? That's a negative mark on our report card and this government has to address the fact that they're responsible for it.

We look at our utility rates and the situations that have crept into our family of Crown corporations. It might have been a good idea to have Crown corporations when they could be monopolies . . .

**The Speaker:** — Order, order. The Speaker's having a difficult time hearing the member from Melfort-Tisdale and I don't know that . . . now, now, I'll ask for the cooperation of the members and — order — and I know that the members will all want to pay a little closer attention to the remarks of the member from Melfort-Tisdale.

**Mr. Gantefoer:** — Thank you very much, Mr. Speaker. I was just getting on a roll and I think they were worried that I'd go on all afternoon.

Should I start from the beginning again? Mr. Speaker, where I was at was saying that we have to live in this global economy, that the entrepreneurs that are going to look at Saskatchewan and mark their report card are looking at our comparison right across the whole spectrum.

We have the family of Crown corporations, who in a time of monopoly, made some sense to be monopolies. But now we've got to compete globally, and those old rules no longer apply. And we can no longer just jack up utility rates in order to feed the dividends back into the public purse. Those old valid . . . those old considerations are no longer valid.

And so the atmosphere of being able to just sock it to people in terms of rate increases are no longer valid. We went through a whole exercise of reviewing and evaluating the relationship of trade unions in this province. And while trade unions are important organizations and in a historical perspective had a very important role, I think, and I think a great many people of this province absolutely believe, that this government has given an absolutely unfair, undue amount of heed to the trade union movement in this province.

It's disproportionate to their activity in this province and it has to be changed. It has to be scaled back and it has to be brought into the realities of the current economic reality. And so that can't continue.

I talked to many small businesses who are absolutely baffled and dismayed by what has happened with the labour standards and all the kinds of things that are being imposed on them on a daily basis. A lot of these small entrepreneurs do not have the luxury of having a chartered accountant in store in order to do all these things and cross all the i's and dot the t's and all the rest of it. They can't do that. And so they're trying to grapple with this whole paper war that is imposed on them and it's very, very difficult.

Recently this winter and in January, we saw how insensitive the Workers' Compensation Board was to the needs of the businesses of Saskatchewan. And the whole outcry that we raised with the businesses over this issue, finally we ended up with an Ontario fellow who had to come and tell us how we had gotten it all messed up. But the simple truth of what's happened is, nothing is fixed. All that's happened, it's been delayed; it's just been postponed. It's sort of the way I housekeep; I sweep it under the rug and hope it'll go away. But you know, Mr. Speaker, when you lift the corner of the rug it's still all there.

And that's what we have gotten ourselves into with the Workers' Compensation Board. The underlying issues that are driving the costs up and the expenses up are not being addressed. And so we don't have this government taking control and looking at the overall picture and saying, this is what we've got to do and this is what we've got to change in order to get this climate right.

We see proposed changes to the occupational health and safety. And the Minister of Labour was very kind to share with me a report by KPMG of addressing what the impact of this might be. And I'm very glad that at least that they're looking at what the impact might be before these regulations are implemented. But there are \$18 million of cost to business in the first year, according to this study, if all of these regulations are implemented. And, Mr. Speaker, business cannot afford those kinds of changes all at once. No one thinks that we need to have an unsafe work environment. That's just simply not true.

What we need to do is be able to do it in an effective and an efficient way.

Recently we've been raising the whole issue of the costs incurred because of the Crown Construction Tendering Agreement. And the Saskatchewan Construction Association has indicated that they're terribly concerned by the unfairness of the process and the fact that it's going to cost us millions of dollars extra. No matter how you figure it, on what base number, once we put this kind of a practice in place, everything we do, every capital project in this province, is going to cost us as much as 30 per cent more. And that simply is not acceptable.

You know one of the things that is always interesting to me in this House, is when the minister gets up and talks about job creation and he talks about some folks that Melfort is a suburb of, and they say that St. Brieux . . . or Melfort is a suburb of St. Brieux. And when you talk about the jobs that are happening in that community, it's probably true.

But, Mr. Minister, when you sit there and point that there's 6 or 700 jobs in St. Brieux, they're not because of government; they're not because of your programs; they're not because of the climate you've created. They're in spite of those programs; they're in spite of that climate. They're because the people of St. Brieux have the entrepreneurial spirit and drive and dedication and belief in themselves, that they're doing it. And your government, or previous governments, have absolutely no right to take credit for what's happening in St. Brieux.

And what happens when you get a community that's driven from a historical perspective, where Mr. Frank Bourgault had an idea; he had a dream; he had a concept of what he could do for a new way of developing cultivators. And out of that developed air seeders. And it was taken by his family and raised up and marketed and shared and developed, and markets were developed.

Also what happened with that whole exercise in that community of St. Brieux, again not because of government but in spite of it, is all kinds of other businesses developed. I recall when Gerry Bourgault said, it's costing us a lot of money to have some of the precision gas cutting things happening. They had to get it done in Saskatoon, or Regina, or Calgary.

And so a little firm was formed right in St. Brieux, Precision Profiles Plus, which now does all of that specialized cutting and metalwork right in the community — again with a lot more jobs.

They used to buy a lot of the sprayer tanks and the plastic shrouds and shields that they used for the sprayers from outside of the province. And lo and behold, some entrepreneurs built a shop, and now all of those products are done in St. Brieux.

Because the community is thriving, and because you can't rent or anything a house in that community — and that's why it's of such importance to communities like Melfort and Tisdale and Humboldt and Naicam and all around Kinistino, where people go to work at St. Brieux — there's all kinds of other stores that are able to be built. And so we have things like a health food

store, and these kind of things, that are being built in St. Brieux.

We have a seed processing and seed cleaning plant, we have custom welding businesses, and we have other manufacturers that are in that little community.

And so not because of government, but in spite of it, that community is now thriving. And in 1991 when I was campaigning, that was part of the old Melfort constituency, St. Brieux. And it was amazing to go into that area and door-knock in the countryside. And you could see that the prosperity of that community made an incredible difference.

The buildings were painted; the yards were clean; equipment was well done. And it was an amazing thing to see that those communities were doing well in spite of government, not because of it. It was in '91. It hasn't changed a whole lot now. There aren't a whole lot more people working. The yards are still clean. Everything is still as it was. And so when government takes credit for this, it's just really unfair.

I recall very personally with a great deal of pride the story of Schulte in Englefeld. John Schulte was my uncle. And when I went to university I learned to weld there. And I learned to see what it took. And I remember as a young child talking about Uncle Johnny. And he had a very small shop; it was like a garage. And what he did is he borrowed from friends the first money he needed to buy steel to build a snowplough. That's how he started. And he had enough money that when he sold that first snowplough, he had money to buy materials for two. And then he done two. And on it went. And now they are a major manufacturing company.

And that's how these dreams start. They start from someone with a dream, someone with the drive, someone that believes that they can do something different and better. And, Mr. Speaker, that's what's important. And that's what government has to get right in terms of saying, we have to create an environment where that entrepreneurial spirit can again flourish in Saskatchewan.

And we can sit here and say we need \$100 million more for another high-tech agri-park or whatever. And those are good things. But if we create the environment, the biotech and all of those things will come here because this is a naturally advantaged agricultural area. And so we don't have to artificially find taxpayers' money in order to do these things. We just have to create the climate.

And so, Mr. Speaker, I really believe that what the thrust has to be of economic development and projects of government is not to sit here and know best; not to sit here and say, we need to give you an agri-park, we need to have a vehicle that will give you this kind of financing. How much sense does it make? I think my colleague said there was 1,100 applications and only 11 have gone through the system. What sense is that? We've got a bunch of bureaucrats, a bunch of people running around with busy work, creating new ideas to create new paperwork for these businesses that are now trying to survive on their own.

It's the wrong approach. We are heading 180 degrees in the

wrong direction, Mr. Speaker. And I fully support the concept that the best thing that could be done for economic renewal in Saskatchewan is not more good ideas, not more imposed government programs, not more big brother approaches to things, but less. Let's create a simple environment where that entrepreneurial spirit can again thrive and flourish and we will see Saskatchewan shine, Mr. Speaker.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, although this is a brief Bill, it contains some fairly serious implications. In general the main effect of this Bill is to extend SOCO's powers to invest in and develop research and developments parks. If you pardon the pun, it's an interesting development.

When the Bill establishing SOCO was introduced in 1994, its primary focus was to draw distinctions between the new agency and SOCO. A number of areas were identified as problems with SEDCO that SOCO was presumably to fix — problems such as eliminating loans to retail operations. The government argued at the time that such investments did not further the cause of economic diversification and thus it was not the proper place for a government economic development agency.

(1530)

In a similar vein, the SOCO Bill made efforts to separate from any activities which could be seen as mundane business assistance which private sector sources could supply as well if not better.

In particular, in Committee of the Whole on the SOCO on May 19, 1994, the Economic Development minister said:

The other thing that will likely change is (that) the property division within SEDCO, which had been built up over the (number of) years to have a whole array of property — some buildings in Regina, Saskatoon, industrial parks in many of our smaller communities. Saskatchewan Opportunities Corporation will not have a properties division. And that will be a significant, a significant change from where we were in the past.

Well indeed that was a significant change, one that the most common recurrent criticism that was levelled against SEDCO was that it was using taxpayers' dollars to compete with private developers throughout the province. What concerns us about the legislation is that it appears to be the thin edge of the wedge for SOCO to get back into the properties business now that the heat is off and the minister has accepted the praise of getting rid of it in the first place.

The minister in his second reading speech where the Bill pointed to the success of Innovation Place development in Saskatoon. Indeed this was an extremely good project, and our caucus does not want to detract from its value in any way. However it is one thing to give the SOCO administration over Innovation Place, although even this, I must say, makes SOCO look an awful lot like the former SEDCO. It's quite another thing to give the corporation a blank cheque to develop other

parks at will all across Saskatchewan. The fact that the government has one successful R&D (research and development) park does not mean that a dozen R&D parks across Saskatchewan would be as equally successful.

The Bill has some provisions to limit this development by limiting its borrowing power. You'll have to excuse me however if \$100 million does not sound like too restrictive of a limit particularly when the limit can easily be amended and extended in the future, and also considering that this does not relate to any current indebtedness by the Innovation Place project.

Again, Mr. Speaker, our caucus feels that it is extremely dangerous for the government to get back into the property development field especially after it made such a show to get out of it in the first place.

I'm sure that the minister will argue that SOCO is doing no such thing since the amendment only applies to research and development parks. He would argue that there is a big difference between this and a common and garden industrial park or an industrial strip mall. True enough, Mr. Speaker, but one has to wonder just how strict the definition of research and development is going to be in the regulations.

I'm sure that the minister has been to Innovation Place a few times but maybe he's never got outside of the wine and cheese parties in the atrium on the main building. Just in case, I would remind him that there is more in the park than ag biotech and computer research firms. The park maintains a wide range of office space that is used from everything from a business consulting service to retail Internet services — hardly cutting edge R&D sorts of things.

With these sorts of precedents acting as loopholes it would be quite easy to see SOCO setting up regional so-called R&D parks which once you scratch the surface turn out to be nothing more than glorified strip malls.

In closing, Mr. Speaker, let me reiterate that our caucus has grave concerns about this Bill. We expressed our feelings in 1994 that SOCO would turn out to be nothing more than an expensive name change and window-dressing for SEDCO. To us this Bill appears to prove that point and we will therefore want to examine its implications quite intensely.

Those are our main concerns and we'll be raising further concerns when we reach the committee stage, Mr. Speaker.

**Ms. Lorje:** — Thank you very much, Mr. Speaker. It gives me a great deal of pleasure to join in on the adjourned debate on this Bill to amend SOCO. I must say the reason that I am joining in on this debate is . . . it's a twofold reason, Mr. Speaker.

First of all I happen to be the Chair of the government's employment and economy committee, so I have a great deal of interest and concern in what we can do in terms of creating a positive climate for investment opportunities and for business development opportunities in this province so that we can have

real and meaningful job creation, so that our children do not have to leave this province, do not have to crawl over the border to find jobs. They can actually be employed here in Saskatchewan.

I am also, Mr. Speaker, the Chair of the Crown Corporations Committee. And as Chair of the Crown Corporations Committee, SOCO will be one of the annual reports that we will be examining. So obviously I have more than a passing interest and concern in this.

I think though, Mr. Speaker, the main reason why I am pleased to be able to stand up and speak on this is because I am hearing a lot of innuendo and veiled insults against my home city, Saskatoon.

For Heaven's sake, we've been far too successful with Innovation Place and that seems to gall the members opposite. They can't seem to understand that perhaps in this province it's time we held our heads high and built on success rather than being embarrassed about it or running away from success. I say to them it's time they stopped the doom and gloom, Mr. Speaker. It's time they got on board with us in terms of creating a positive climate for solid, sound, sustainable economic development in this province.

Mr. Speaker, I listened with only a slight bit of interest to the continuing carping from members opposite about job creation and their mantra which, for Heaven's sake . . . I thought that the opposition was a Liberal Party. I didn't realize that they were actually a Reform Party. They seem to have pole-vaulted right over when they changed their leaders instead of once again reaffirming their commitment to Liberal Party policies and procedures. Instead they seem to have pole-vaulted right into the Reform Party camp.

I don't know why they're sitting in this House as Liberals and why the hon. member from Greystone is forced to sit as an independent. It does seem to me that they've got their principles just a tad wrong, Mr. Speaker. But I hear them saying with great gusto the government should get out of business. This is . . . and they're repeating it like a mantra — get government out of business and then everything will be resolved. We'll have nirvana on the plains of Saskatchewan if only government gets out of business. This mantra, as if they've somehow . . . they are the first people ever to discover this great thought and they're repeating it ad nauseam like they're in the wrong party, like Manning mannequins, for Heaven's sake.

I have to say, Mr. Speaker, if only they would stop and listen to what this government is saying, they would understand that we have a solid plan — a social democratic plan admittedly, but I don't apologize for it being a social democratic plan. That's after all why we're here. We were elected by the majority people in this great province of Saskatchewan. Clearly this is a social democratic province and we have a solid plan for economic development that does not require government to be in business.

It takes a good, solid look at the role of government; at the role that government can and properly ought to play in economic

stimulation; and at the role that the private sector and the cooperative sector ought to play in economic stimulation and development.

I find it a great paradox, Mr. Speaker, that the same Liberals who will stand up and carp on about how government has to get out of business, at the very same time will turn around like Tweedledee, Tweedledum and say, get government out of business but do something about job creation. Now you can't have it both ways. You can't insist the government get its filthy hands into direct job creation and at the same time tell government to get out of business.

The members opposite clearly are floundering around, searching vaingloriously for some kind of a philosophical framework to justify their actions of last November when they dumped their leader. They don't know whether they're Liberals or Reformers. They haven't decided yet. They're kind of looking and seeing some attractive elements, perhaps in the Conservative Party, but clearly they haven't got their act together in terms of what they mean by sustainable economic development.

Mr. Speaker, the members on this side of the House know what we mean by sustainable economic development. We know that government can't do it alone. We know that private business cannot do it alone. We know that what is required in the 1990s as we move towards the millennium is a true partnership, Mr. Speaker.

We have to have partnership, and we have to have all the engines of our economy pulling together in the same direction. We cannot have cries of get government involved in job creation, but don't let government be involved in business. We cannot continue with these paradoxes. These are simply silly approaches that are not well-thought-out and do not actually deal with the exigencies of the moment and the very real concerns and problems that there are in terms of actual job creation.

We have a plan, Mr. Speaker. Our plan we published recently in our *Partnership for Growth*. It's a solid plan. It looks at several different sectors as key sectors in our economy. And it looks at several different vehicles for moving forward and obtaining that solid economic development strategy that I'm sure the members opposite really would like to see in this province.

I invite them, as the Premier has done in the past, to join with us, to cut out this artificial nonsense of grandstanding and complaining simply for the sake of complaining, but instead to join with us in the true spirit of cooperation so that we can achieve real and sustainable economic development in this province.

One of the vehicles that we are using for economic development in this province is SOCO, the Saskatchewan Opportunities Corporation. I listened to the Leader of the Third Party as he was speaking and I heard him raise some very legitimate and very heartfelt concerns. As I heard what he was saying, he said that he's concerned that SOCO may simply turn

into a reincarnation of SEDCO — son of SEDCO, if you will, Mr. Speaker, though I'm sure that that phrase would never cross your lips.

He's concerned that SOCO may become yet another SEDCO. He's also concerned about the involvement that SOCO has and will have in properties, and most specifically, in terms of research and development. And I believe his third concern was for the limit in terms of the investment opportunities that SOCO is able to be involved in.

Well I want to deal with all of those concerns because I think, quite frankly, they're far more substantive and far more meaningful than the nonsense we've heard from the official opposition, simply trotting out the cant and dogma of the Reform Party.

So rather than getting into a deep philosophical debate and trying to convince them perhaps they should do some basic economic reading, I will totally ignore the kinds of things that they have been saying and instead focus on the concerns that the Leader of the Opposition brought up. I will not be able to obviously answer them in as eloquent or as well-informed detail as the minister will, but I know that the minister will be able to answer all their questions and answer them quite satisfactorily.

Suffice it to say though, that SOCO can and will be an important investment vehicle, an important opportunity for up and coming developing businesses to be able to secure the initial financial stability that they require as they are getting on with the very important job of creating jobs for the people of Saskatchewan. That's job creation by the private sector, not by government. But it is cooperation and assistance by the government to assist those companies to get going.

(1545)

SOCO is not, and hopefully with the kind of good management that we have seen so far in SOCO and that we expect to see carried on into the future regardless of the nature of the government administration, SOCO is not a sink-hole like SEDCO became. SOCO will not be in the position of having to write off hundreds of millions of dollars of bad debts, bad investments.

SOCO will not become a vehicle like the former minister for Social Services . . . I'm not sure if I can say his name when he's a former minister, can I? He's no longer in the House. I mean above all else, Mr. Speaker, I would not want to break any rules in this House. I have a great deal of respect for the procedures in this House so I certainly wouldn't want to break the rules and I don't want to mention Grant Schmidt's name unless it's appropriate to mention it. Mr. Speaker, is it appropriate to mention Grant Schmidt's name?

**The Speaker:** — Order, order, order. Now the member has not raised a point of order and she's well aware of the rules of debate. But it is inappropriate to involve the Speaker in the debate and that is definitely out of order. And I'll ask her to just simply proceed with her debate and the Speaker will continue to follow with interest.

**Ms. Lorje:** — See, Mr. Speaker, that's why the majority of people voted for you to be Speaker because you've . . .

**The Speaker:** — Well now, the member has followed the Speaker's admonition with a repeat offence, although of another nature. And I'll simply ask her to get back in her flow in the debate on the Bill which is before us. And I'll remind her that the Bill before us is Bill No. 8, An Act to amend The Saskatchewan Opportunities Corporation Act, and that she'll want to direct her remarks in that regard.

**Ms. Lorje:** — Thank you, Mr. Speaker. I am duly and properly admonished and I apologize for involving you, however obliquely, in the debate.

**The Speaker:** — Now I have to remind the member that it's inappropriate to comment on the Speaker's ruling and I'll ask you to simply proceed or I will go to another debater.

**Ms. Lorje:** — Thank you and thank you to all members of the House. And directing my remarks most specifically to the Leader of the Third Party, I would like to say that we have structured SOCO in a way that it can never become and will never become the kind of sink-hole that SEDCO became. It will never become a front company to hide a back company which was a company to hide several investments of dubious quality which never came before this legislature, never came before the Crown Corporations Committee, and never were subjected to any kind of adequate public scrutiny.

I'm referring of course, Mr. Speaker — and I don't think I'm involving you in that by referring to you, am I? — I'm referring to the Saskatchewan diversification company. That Saskatchewan diversification company was really only the icing on the cake that caused the business community in this province, the political community in this province, and most importantly, the government of the day, the 1991-1994 . . . 95 Romanow administration, to decide . . .

**The Speaker:** — Order, order. Now the member must realize — of course she's a veteran member — and knows very well that she's not to use a proper member . . . proper names of members who are sitting in the House. I remind her that just moments ago she reflected on that and reminded the House of that regulation and now she's violated it and I'll ask her to proceed with her debate and do it in parliamentary, acceptable manner.

**Ms. Lorje:** — Yes, Mr. Speaker. Of course I was referring to the 1991-1995 NDP administration, which quite properly decided to do away with SEDCO. However, having decided to do away with SEDCO we recognized that there was still an important role the government needed to play when the private banking institutions and the private credit unions were not able to provide adequate funding, bridging funding if you will, for new companies and indeed for companies that want to expand and do their proper role of job creation in this province.

So we decided that we needed to create a different vehicle but a vehicle that was transparent; a vehicle that was accountable; a vehicle that was open; a vehicle that we could be proud of and

that would be able to explain its goals and missions and objectives in a clear fashion to the people of Saskatchewan.

So therefore, Mr. Speaker, we set up SOCO. We set up SOCO with a borrowing limit, a limit in terms of the amount of money that they would be able to use for investment purposes. That limit, Mr. Speaker, was \$100 million. And I would suggest, since we obviously do not have rampant inflation in this country right now, that that limit is an adequate limit for the specific purposes of the investment opportunities, which is one of the reasons for having SOCO.

However, Mr. Speaker, we also recognized that we had to deal with the outstanding question of the properties that SEDCO had acquired. What we did, Mr. Speaker, was we, in a planned and businesslike fashion, disposed of various properties around the province. We got SEDCO basically out of the property development business. But we clearly recognized that there were some properties that it would be inappropriate and certainly not in the taxpayers' long-term or even short-term best interests to dispose of. And I'm referring here specifically, Mr. Speaker, to Innovation Place in Saskatoon.

Innovation Place in Saskatoon, for those of you who have never been there, haven't had the opportunity to see probably the most beautiful city in the whole Dominion of Canada, Innovation Place is next to the university campus in the beautiful hub city of Saskatoon. And because of the unique nature of Innovation Place, because of the joint sponsorship with the university, and the government involvement that there had been in the past and also the great interest by the business community in Saskatoon, it was decided that Innovation Place had to remain as a total entity that the government, through some vehicle, would maintain an active involvement in.

So we looked at it and searched our hearts long and hard. Do we create another Crown corporation, Mr. Speaker? Do we create an Innovation Place Crown corporation?

Well that probably could have been an adequate and good response to the question of maintaining intact and in a sustainable fashion the whole question of the whole property part of Innovation Place. However if we had done that, we know that we would have had the official opposition from '91 to '95, the Conservative opposition, screaming foul, screaming that somehow this social democratic government was running amok and creating more Crowns, and so forth.

And we knew that they would likely try to create smoke and mirrors about this and create the political movement to totally have the government divest itself of Innovation Place. Which we did not want to do; which the business community did not want us to do, because they recognize that there is a great value in maintaining Innovation Place as the prime, the top ag biotech research and development facility in all of Canada.

So having ascertained that it would be not appropriate given political climate and political game playing, quite frankly, to create Innovation Place as a separate, standalone Crown, we then had to look at what would be the better vehicle. And obviously SOCO, Saskatchewan Opportunities Corporation,

came to mind. And we looked at it carefully, examined terms of reference, examined capabilities within that corporation, and decided that that would be the better vehicle for maintaining Innovation Place intact as a strong research and development park.

Having said that, Mr. Speaker, what we then had to look at was the problem that we had created, which was a problem of success. Innovation Place is too successful by half; Innovation Place has scientists and researchers from all over the world flocking to their wonderful facilities to engage in agricultural biotechnology research.

Innovation Place is extremely successful and what we have seen is that we have companies like Limagrain, for instance, a French company, probably the major seed producer in all of the world, asking for increased facilities. So we've had to build extra facilities. That kind of capital construction, Mr. Speaker, quite frankly requires money. Now we know we get a payback from that capital construction, but somebody has to be involved in the initial, upfront capital.

And who other than SOCO, at this instance. So therefore that is the reason for expanding the borrowing limit for SOCO. It is clearly, and it is quite clearly stated in the amendment, that this money will be used for research and development parks. It is not to create a son of SEDCO, if you will.

The third and final point that I believe the Leader of the Third Party was making was his concern that we might be setting up R&D parks willy-nilly all across the province, and R&D parks that will function as competition, if you will, will drain off resources from Innovation Place in Saskatoon.

Nothing, Mr. Speaker, could be further from the truth. Innovation Place and the ag biotech research that occurs in Saskatoon is a gem on the Prairies. We want to support, promote, and enhance that gem. We do not want to do anything that will detract from it.

We do, though, see that it is a successful model that can perhaps be used in other sectors, in other economic development opportunities. And people need only think of the latest technological advances to think of what kinds of other development opportunities there may be. And for heaven sakes, there may be other cities . . . even the hallowed city of Regina may want to see some other economic development opportunities.

So we thought, while we are splitting off and making clear these two funding mechanisms within SOCO — one for the R&D park and one for the investment opportunities for small businesses — why don't we write into the legislation an ability to create, under very strictly controlled, stringent conditions, the possibility for allowing people from other parts of this province to also participate in the long-term, sustainable economic development that we want to see as a result of our *Partnership for Growth*.

So that, Mr. Speaker, is why the amendments to SOCO are before you. That, I think, adequately explains the amendments

for SOCO. If the members opposite would only take the time to read it, get out and consult with some of the people in the business sector in this province, they would understand these are very reasonable amendments that have a great deal of common sense and I ask you to support them.

Thank you, Mr. Speaker.

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

**Mr. Toth:** — Mr. Speaker, I believe it was the understanding that we would have an adjournment of this motion. We have some more speakers that would like to speak to it. And I just . . . The understanding we had was to have adjournment. And so I would move to adjourn unless one of the other members would care to adjourn? I move to adjourn debate on this motion.

Debate adjourned.

(1600)

#### **Bill No. 22**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Anguish that **Bill No. 22 — An Act to amend The Radiation Health and Safety Act, 1985 and to make related amendments to The Occupational Health and Safety Act, 1993** be now read a second time.

**Mr. Gantfoer:** — Thank you very much, Mr. Speaker. We were very interested in the remarks of the minister in introducing this Bill. And I think it will go a long way to dispelling some of the concerns that the industry has. In fact we very much are supportive of the progress that's being made in terms of improving the safety of the whole nuclear industry. We think that it's a thing that's important, that radiation and the technology surrounding it are very important.

We acknowledge that the college of physicians and surgeons are very supportive of it, and that they have been working with the ministry over some time to make sure that this was done proper. We've also talked to the Saskatchewan association of radiologists and they too are very much in concurrence and appreciate the consultation that was done between your department, sir, in developing this Bill.

So having said that, we see no reason at all at this point to limit any further debate, and to move it forward to committee.

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

#### **Bill No. 12**

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Nilson that **Bill No. 12 — An Act to amend The Enforcement of Maintenance Orders Act and to enact consequential amendments** be now read a second time.

**Mr. Osika:** — Thank you, Mr. Speaker. Mr. Speaker, I appreciate the opportunity to speak on this very important Bill.



I want to commend the government on making this issue a top priority, because of course the children of our province should be our top priority at all times.

Of course we're in favour of a Bill that tries to get the children of broken homes the money that is coming to them; the money that is needed and necessary to take care of their welfare. Too often money that is awarded to support the children of broken homes unfortunately goes unpaid. And it is the innocent young people who are made to suffer for their warring parents. This is not right and something clearly has to be done.

I want to make it clear, Mr. Speaker, that I support the general thrust of this Bill. Its intentions are clearly honourable. Yet there are some concerns, more from the justice side, that I'd like to address briefly here today.

My colleague from Humboldt will address other aspects of the Bill as well, as will other members of our caucus. I expect that to happen. Let's be clear however, that in any case of a divorce involving children, it is the children who are hurt and is the children who we must protect. This Bill tries to do that but I'm just somewhat concerned that there are portions that just might not serve the purpose they were supposed to or intended to. They are well-intentioned, no question about that, but I have a couple of concerns that I would just like to raise here today.

First off, the portion of the Bill that sees drivers' licences suspended. I'm a little bit concerned that in some cases suspending people's drivers' licences will hurt their ability to pay. For many people a car is a necessity to get to work and my major concern here is that it again will backfire on the children involved. If mom or dad can't get to work, how can they get some money to pay what they owe? I think that's a question we should follow up.

Once again I don't want to appear to be easy on the deadbeat moms or dads. To turn your back on your children is about the lowest thing you can do. You can be assured that we will do everything in our power to collect the money for our children. Again however, we want to ensure that this new Bill does exactly that.

Are there in fact, studies showing that suspending one's driver's licence works? I'm aware that it is being done in other provinces of Canada but I'd like some information on the actual outcome of this kind of a practice. Because if it's simply a superficial clause in this Bill that makes it simply appear that this government is getting tough on deadbeat parents when it either does nothing or in fact harms perhaps the interests of any child, that's shameful. We want to see proof that this is indeed the best way to clamp down on these people.

Perhaps when we get to committee, the minister can fill us in a little better on this aspect of that particular portion of the Bill, and I'm sure he will.

Another concern I have over this provision is that a government official decides when to follow this particular route. I understand it's used only as a last resort after notice, after notice, after notice is ignored by the negligent parent. But I

wonder if it should be a government appointed official who should be making this final determination.

As we all know, Mr. Speaker, we all have our little biases, We all have our bad days. And I'm wondering if it's wise to have the person making this determination, initially at least, come from outside of the court system. Will these people be qualified to say whether or not this is the best route to go? I'm wondering if it might not be best for a judge to make that decision.

Once again, that may be the wiser way to go. In our justice system our judges are supposed to be above the fray. They are supposed to be fair to everyone in the case — both to parents and the children. There should be no bias whatsoever when dealing with these kind of situations.

Of course I'm not saying that the person who would be involved is not qualified. Please do not interpret that as my comments with respect to someone outside of the judicial system. They may be perfectly qualified to do the job. But it is another concern I have with this Bill and a concern that I hope that the minister will be able to address perhaps once again in committee.

I do fully support several aspects of this Bill. The fact there is no limit on the period of enforcement is a good one, I believe. If you break the law, you should be punished. No exceptions. It shouldn't matter how much time has passed. As I said in question period, criminals must pay for their crimes. And the parent who fails to follow a court order to support his or her own children must be dealt with appropriately. Our justice system must punish those who break the law and it shouldn't matter in the least how much time has passed. If you've broken the law, you've broken the law — you've broken the law. No if's, and's, or but's about it.

Mr. Speaker, we must ensure that the law is fair to both sides in a case of divorce, any case when a family is broken, and there are children involved. That extends from the laws passed by this legislature and it applies to how the courts enforce these laws. If both sides in a divorce case are not treated fairly, that's a situation we simply cannot tolerate.

In any divorce, or choices of people going their own separate ways, there are usually two sides. In our society, as in any case of justice, we must do everything to ensure that both sides are treated fairly at all times. An entrenched bias against one side or the other, which sometimes is perceived to occur, just simply cannot go on.

I want to tell the House that I've received several letters in my office telling me of some cases. There does seem to be a willingness to believe one side over the other, more often than is probably realistic, I'm sure.

Thankfully I've never gone through a divorce and I don't plan to go through a divorce, and I know this Bill doesn't directly deal with this issue. However I do think everyone in this House would agree that if parties in these matters aren't all treated fairly at all times, there is a problem. Certainly it's not a problem limited to Saskatchewan so I'm not looking to point any fingers, but I think it is a point of concern because, Mr.

Speaker, once again if both sides aren't always treated fairly, it again unfortunately falls unto the children that must bear the brunt.

Those are just a few concerns I wanted to bring to the attention of the House. Once again the general thrust of the Bill is good, in my humble determination. But there are questions we have and some concerns that have been raised with us. Anything that makes the fortunes of the children of broken homes better is good. Let's just make sure we're doing as much as we possibly can to make sure that it is good.

Thank you, Mr. Speaker.

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

**Ms. Julé:** — Thank you, Mr. Speaker.

Mr. Speaker, I am pleased to have the chance to follow up on what our leader has already said about this Bill. I take this issue so very seriously because it involves the children of our province — children who are so often trapped in bitter adult battles and used as pawns in vicious adult games. It saddens me and it sickens me to think that so often the biggest losers in any maintenance struggle are the children.

I can't begin to tell you how many stories I have heard where maintenance battles have had serious implications on a child. I have worked with some of these children; they are living in my constituency and in every constituency throughout this province.

How many times do we read in the news that one parent kidnaps a child to keep the other parent from seeing the child? How many times do we hear about families forced to use food banks because the maintenance cheque didn't get there on time? How many times do we see children losing out?

In one case, a lady I met talked about how she is raising three children as a single parent on the \$20,000 per year she makes as a secretary. The middle child, a 7-year-old daughter, is mentally challenged and needs special care and attention. The father is supposed to send an \$800 cheque to his children once a month. It has been eight months since she received a cent. This woman has turned to legal aid but their case-loads are huge and the amounts of documentation required for the case to even begin is daunting.

So while she waits for money her children pay the price. Her oldest son had signed up for guitar lessons. Well she couldn't make the payment and he was forced to drop out. Her youngest son can't play hockey or soccer or baseball. It's too expensive and she needs to use the money she has for food and housing.

And this isn't even a worse-case scenario. She at least has a job and can afford to feed her family. Others are not so fortunate, and I'm not just talking about women. Men also run up against a brick wall in the present system. The problems with the system affect everyone, male and female, rich and poor. That is why this Act must be closely examined and any decisions that are made should be carefully orchestrated.

One concern I should bring up right now was brought to my attention by a Regina man. He says that he agrees that maintenance enforcement is necessary. However, in his opinion maintenance and child support payments are very often awarded at an unaffordable level. He also has concerns that child support payments are not being used to support the children. He would like to see some system of accountability for these payments.

I can understand his frustration. I believe him when he says he is a caring father who wants to see the best for his children. He feels his hands are tied though. Even though he makes regular payments on schedule, there is no guarantee that his ex-wife will let him see his daughter.

(1615)

In his view, he would like to see some reciprocity for custodial parents who balk at court orders. I would like to quote from a letter he wrote to me.

Apparently, to the court system, money is the only important issue. Well I feel it is time the scales get balanced and the non-custodial parent, who is usually the father, has some rights other than just being a bank roll.

He further goes on to say:

Likely if the non-custodial parent had some rights and fair payments, default on support payments would decline.

Now I know the proposed amendment is trying to deal with both sides of the issue. The changes are designed to make people who default payments more accountable and I think that is a positive thing. I can't with any comprehensive, solid knowledge say whether the new changes are the right answers to this problem.

It's possible that attaching pension entitlements and suspending driver's licence will be enough of a deterrent to prevent some default payments. However, I'm not sure this Bill encompasses enough points from both sides of the issue. As I have already explained, two people, both with very valid arguments, have offered a lot of food for thought on both sides of the issue. And these are just two people out of the thousands affected in the province.

I can't help but wonder if there are even more issues that need to be brought up before any changes are needed. I also would like to hear from lawyers on the issue because these changes can potentially affect so many other areas of people's lives. And as I said earlier, these changes could seriously impact on the children of our province.

Mr. Speaker, before we offer a conclusive decision on this Bill, we would like to work on further consultations with the people involved in the issue, and therefore I ask that this debate be adjourned.

Debate adjourned.

## COMMITTEE OF THE WHOLE

**Bill No. 25 — An Act to amend The  
Legal Profession Act, 1990**

**The Chair** — I would ask the member to introduce his officials, please.

**Hon. Mr. Nilson:** — Yes, I'm pleased to introduce Mr. Doug Moen, who's the executive director of the public law and policy part of the Department of Justice.

**Clause 1**

**Mr. McPherson:** — Thank you, Mr. Chair. I would wonder if the minister could just give us a bit of an overview — thank you — a bit of an overview as to why he wanted this Bill brought forward and some of the changes in this Bill.

**Hon. Mr. Nilson:** — I'd be happy to do that and if you don't mind I'll give you a short summary of the amendments. The amendments were designed to do the following things. First thing was to ensure that the law society has the ability to discipline both former members and lawyers from other provinces who are practising in Saskatchewan.

Another amendment increases the number of public representatives on the governing body, the benchers, from two to four. Further amendment provides that claims against the special fund can be made just by clients and not by business partners of lawyers.

The fourth amendment provides for unclaimed money from lawyers' trust accounts to be paid to the Minister of Finance after the law society has held it for 10 years.

The fifth amendment confirms a complainant's right to appeal a decision by the chairperson of the competency and standards committee to take no action on the complaint.

A sixth amendment allows disputes respecting lawyers' accounts to be heard in their entirety in a small claims court.

Seventh amendment confirms that discipline hearings are open to the public.

An eighth . . . well a number of amendments make minor housekeeping changes in the Act. A further amendment makes minor changes to the provisions respecting lay benchers to deal with some issues around quorum at meetings.

Another amendment amends section 10 of the Act to allow benchers to make rules respecting their procedures including quorum.

A further amendment confirms that the report of the Competency and Standards Committee is not a finding of incompetence. And then a final amendment provides that the ability to enforce a discipline order as a judgement of the court applies to members as well as to former members.

That's a brief summary of the changes.

**Mr. McPherson:** — Thank you, Mr. Minister. I should have started by welcoming your officials here this evening too, and give you a hand. So I will do that now.

In fact, Mr. Minister, are you able to send over a copy of whatever you are reading the amendments from?

Thank you, Mr. Minister. Where we'll start off, I think, is talking or getting your view as to why the disciplinary powers have been asked for. I'm not sure if it was the association, the legal association or profession I should say, have asked for this or was this initiated from the government side?

**Hon. Mr. Nilson:** — No, this was very much a request by the law society and the profession for some of these changes. There's a couple of areas where there were suggestions, I think, from the government. And the main area is the increase of the lay members from two to four. But most of the other changes are ones that the law society requested.

**Mr. McPherson:** — Mr. Minister, are there specific cases that were of concern to the law society, that in fact they couldn't deal with within the existing Bill? Is this some of the reason? And if there are some of the cases that they've used as examples, do you have . . . can you cite them?

**Hon. Mr. Nilson:** — I think in a general way I can cite them. One of the things that's happening within the legal profession in Canada is that you have members living in other parts of Canada and then coming to practise in Saskatchewan. Also you have people who resign so that they slip out of the discipline proceedings.

What this legislation is intended to do — the first amendment especially — is to allow the law society to continue a discipline hearing even if somebody resigns and they're no longer a lawyer.

You know, it also relates to people who will move out of the jurisdiction, and it covers that particular issue.

I'm not sure if there . . . Well another example of a specific instance, I think the whole thing about the small claims court. There was a fair bit of frustration by people when a lawyer would sue them in small claims court to have the account paid. And that person would show up in court and say well, that bill is too much, or I shouldn't have paid anything for what I got. And the judge in small claims court would have to say, well I have no jurisdiction to hear your complaint about a legal bill because The Legal Profession Act says you'd have to deal with that in Queen's Bench court.

And so this specific change allows the whole matter of the bill to be dealt with in small claims court if a lawyers uses small claims court to sue a person to obtain payment of a bill. Those are a couple of examples.

**Mr. McPherson:** — Back to the disciplinary, Mr. Minister, back to the disciplinary powers of perhaps . . . And I'll get right

to a case of a former member of this House. If I recall right — and you can correct me if I'm wrong — but the law society had some problems in having any disciplinary action or powers against a former member, and it was Eric Berntson.

And I was wondering how this Bill would relate to what the law society's problems on that particular case, how these amendments would relate to that. Would they give more powers or would they correct some of the problems that had come as Mr. Berntson.

**Hon. Mr. Nilson:** — Am I understanding you correctly to say that Mr. Berntson was a lawyer?

**An Hon. Member:** — Yes, he was.

**Mr. McPherson:** — No. What I'm asking is does this Bill give any more powers to the law society itself in any disciplinary action? Now there was legal firms involved but it had to do with the case of Mr. Eric Berntson.

**Hon. Mr. Nilson:** — I think I'm on very safe ground to say that this doesn't affect the whole matter of Mr. Berntson and the law society discipline hearing that was held in the fall. The only effect of any kind would be, it confirms right in the legislation that the hearings would be open. And that decision was made after some fair argument that they would have an open hearing in the matter you're referring to. All this would do to make sure if they had another one like that it would be an open discipline hearing. But it doesn't add any more powers in any way.

**Mr. McPherson:** — Mr. Minister, you're adding, I guess from the government's point, two more members to sit — if it's going from two to four? I think I heard you say that earlier. Was this also asked by the law society?

**Hon. Mr. Nilson:** — I think I would be fair to say that they did not request this. But in discussion with them, they understood that it was a valuable thing for them to have lay benchers on their committee. We have had . . . I guess my officials and I have talked with some of the lay benchers as well. They, I think, appreciate the fact that there would be the power to have up to four members. And it's basically a question of assisting a self-regulating profession to have some lay people involved in the process.

(1630)

**Mr. McPherson:** — Mr. Minister, now as far as I know, the government is going to have some consultation with the law society before making the appointments. Or is this a process where you put forward names and they will choose from the list of names that you provide?

**Hon. Mr. Nilson:** — I think the process would be the same as was used before, when the first two people were chosen by the minister. And basically what happened there was there were advertisements in the paper and people applied for these positions. And then there was an interview process and then finally two people were chosen. And so I think that would be the same process we'd follow again.

**Mr. Osika:** — Thank you. Mr. Minister, I'd like to also welcome your official here today, someone that I've met before. My question, just for clarification again, dealing with the benchers, once the process you've just described is gone through, are there any bottom line criteria? Are there any qualifications that are looked at for people that would be sitting on the board?

**Hon. Mr. Nilson:** — Well I think practically it's a situation where we're looking for a person from urban Saskatchewan, a person from rural Saskatchewan, hopefully a person of aboriginal origin, and also hopefully a person who represents consumer interests. That's kind of the idea. I mean, that may change as other issues arise, but the idea is to get a broad background of lay people who are capable and able to contribute to all of the difficult decisions, and very, I guess, important decisions that are made by the law society.

**Mr. Osika:** — Thank you, Mr. Minister. Lay people without any background in law, or qualifications to . . . this would seem to me to be something that would be of . . . could be some serious matters evolving out of these situations that might require people with backgrounds that should have some qualifications to deal with these issues. Are there anything specific or are they just people from the general society?

**Hon. Mr. Nilson:** — I think the answer to that would be that the present members . . . one of the people is a business person from Saskatoon, who was a president of the consumers association of Saskatchewan and is, I think, quite an astute business person. The other one is a farmer, a woman who represents the rural area. And both of them very capable people. And I think from my own personal perception, they understand the issues and they contribute to all of the difficult decisions that are made at that level of sort of a self-governing body.

**Mr. Osika:** — Thank you, Mr. Minister. I just have one more question on that vein. Who would make the final decision if you did in fact receive a number of applications for these positions? Where would the final decision rest and with whom?

**Hon. Mr. Nilson:** — The present system is that there is a joint panel that reports to me and then I bring the names to cabinet. And so I guess finally it would be the cabinet that appoints these people.

**Mr. Toth:** — Thank you, Mr. Chairman. In dealing with the representation on this body, your representatives who are going from two to four, and I guess the concern I think the member from Melville raised, it was why is the expansion necessary? If I heard you right, you wanted a little more input. And a concern I also have in looking at the Bill, it talks about the fact that one of the representatives should come from outside of Regina or Saskatoon. And I'm concerned about that in the fact that before there was at least a 50-50 split — one urban, one rural — when you had two members. And I'm wondering if you're going to continue that split.

And I just didn't catch your comments regarding where the two individuals were that were non-legal professional people. While the member from Melville may have a concern, I'm beginning

to think, Mr. Minister, that it's certainly appropriate to start looking at putting people in places of responsibility that may not have any connection with the legal community to give at least an ability for people in the general public to feel that their concerns are being heard at some time. And maybe I'd like to know exactly what your reasons are for looking outside of the legal community — I think you mentioned a farm wife — and those are some of the questions I'd like to hear your comments on.

**Hon. Mr. Nilson:** — I think I can say quite safely that the lay members that are on the benchers now have been quite successful and very much appreciated by the members of the benchers of the law society.

The plan is not any kind of plan with the appointment of up to four people, to only have one person outside of Saskatoon and Regina. But as I explained before, the goal would be to have an urban person, a rural person, an aboriginal person, and then somebody from consumers' association.

It is possible that it could be one person from urban areas and three from outside of Regina and Saskatoon. I mean, that's a possibility. I think, you know, practically, the intent would be to get the right kinds of people who could engender the trust and respect of the kinds of communities that they might represent.

But in the final analysis they all work together as a group and each contribute their own characteristics and skills in the difficult decision making that's done. I hope I've answered all your questions there.

**Mr. Toth:** — Mr. Minister, I understand as well that the public representatives are appointed by the Lieutenant Governor through order in council. I'm wondering how the selections are made; what criteria are used in picking these appointees. And also I'll throw another question in there. What kind of costs will be incurred through their duties through remunerations and the extra costs? Would these costs affect the taxpayers at all?

**Hon. Mr. Nilson:** — I'll start with your last question first. These people are paid for by the lawyers and through the law society fees. There's no cost to the taxpayers. The selection process — you may not have been here when the question was asked previously, but I explained it before — which includes, you know, general advertising throughout the province for people who might be interested in this. Then an interview process — these names going to sort of a joint panel with a recommendation to me which then I take to cabinet. And then cabinet finally making the decision on my recommendation.

**Mr. Toth:** — So I would take it then the law society would have some input in the selection. They would make the recommendations and you would make the final judgement decision on that?

**Hon. Mr. Nilson:** — When I refer to the joint committee, that's people within my department and the people in the law society that would have some say on the appointees.

**Mr. Toth:** — Mr. Minister, a question was raised a moment ago about reasons for this piece of legislation and for it to be brought forward, and I'm wondering if you could give us some types of examples that may have happened in the past that have spurred the reasoning behind bringing forward this piece of legislation and some examples . . . maybe it's through the law society, some of the concerns they've had, and why we would specifically have this piece of legislation on the floor of the Assembly today.

**Hon. Mr. Nilson:** — Unfortunately you missed my previous three examples, so maybe I'll try some more because we've gone through that.

But there's another situation which involves a court case where a business partner of a lawyer was able to be successful in court in having this special fund — that is, money contributed by lawyers to deal with particular problems. That fund was then used to pay a business partner of a lawyer. This legislation, on the request of the benchers of the law society, makes it absolutely clear that it's clients that the money is meant to protect, not business partners of lawyers.

**Mr. Toth:** — Well I'm sorry I missed that part about the fact that it's the clients and the reasoning for it.

In section 12, I'm wondering if you could give a little more depth as to the amendments in section 12. The explanatory notes say that this is to clarify that special levies may be taken from members to reimburse clients wronged by members rather than, say, business partners. And maybe this comes to a comment you just made a moment ago that . . . am I taking from your comment just made that lawyers were beginning to use this to defend themselves, or business to defend themselves, rather than . . . or I suppose, if I understood you correctly, misusing what the intent of the levies was and how those funds were to be dispersed. Is that what you were saying earlier?

**Hon. Mr. Nilson:** — Yes, perhaps I can explain it. A situation would be where a lawyer in — I don't know, what town should we use out in your area? — Whitewood, or somewhere that's close or closer, or Moosomin has invested with a friend in this new restaurant business I hear about in Moosomin that's really picked up because of the casino. And they decide . . . (inaudible interjection) . . . Whitewood too, okay. So anyway he decides to go and see his local MLA and they decide to invest in a restaurant together and things go along.

The MLA is a very astute businessman so he has his own lawyer in Regina to help him out in his deal. Something goes wrong in the business venture. Well what this amendment is set up to do is to prevent that MLA, who's lost \$200,000 through his good friend the lawyer, from suing that lawyer because he was a client of that lawyer and then having access to a special fund that all lawyers in Saskatchewan contribute to, to compensate clients.

That is opposed to somebody who came into the lawyer's office and sought advice on a mortgage on farm land and there was a mistake made and they were out the money. So it's basically to make a very clear distinction between somebody who might be

a business partner of a lawyer versus a client of a lawyer.

**Mr. Toth:** — Well, Mr. Minister, sometimes MLAs may need to be protected from some unscrupulous lawyers as well.

Mr. Minister, sections relating to the disciplining of former members, the reach of these provisions is two years after they cease to be members. How was that figure arrived at? Is it arbitrary, or is there some rationale for that specific stretch of time?

**Hon. Mr. Nilson:** — I think the two-year period is based on the experience of the law society of how long it takes for a complaint to show up against the lawyer who may have moved on. And so they basically, I think, have suggested that if a complaint hasn't shown up within two years then you know there probably won't be a complaint. So it's a practical time that's been suggested.

**Mr. Toth:** — So basically, if I understand it correctly then, it's just a time period to deal with maybe some of the frivolous complaints. If it's really a serious type of complaint, there is an appropriate time for that complaint to come forward without just extending it indefinitely. And I take it that's what you're talking of in that circumstance.

Several of the sections make changes to allow members who are not benchers to sit on committees such as the investigations committee. For the record of the House, could you just elaborate on the distinction between benchers and non-benchers and how this relates to these changes.

**Hon. Mr. Nilson:** — Basically what's happened there is that the benchers do this as a volunteer job and sometimes there's a situation where there are more investigations going on than there are sufficient benchers. And so what this does is allows for the benchers to appoint another person, usually a lawyer, to sit on the investigation committee.

It also covers that kind of a situation where you may have a conflict related to some of the benchers and there aren't a sufficient number . . . and you know, some cases might have five or six different law firms involved in it. It's an investigation of that case and you have four benchers from those six law firms. You might not have enough other benchers to handle the case.

So it's a practical thing to say it deals with conflicts; it also deals with the workload.

(1645)

**Mr. Toth:** — And one further question. The changes to section 53(4) establish penalties that can be imposed on out-of-province lawyers. Among these is the power to "impose a fine in any amount that the committee may specify." It seems to me, Mr. Minister, that seems to be pretty open-ended. We're wondering why is it necessary for the committee to have such infinite powers to set fines, and could you foresee this power being abused in any way?

**Hon. Mr. Nilson:** — I haven't heard of any abuse of that power myself. I mean basically it sets out the powers that the group has to deal with matters, but I haven't heard of any abuse of that.

**Mr. Osika:** — Thank you, Mr. Chairman. Mr. Minister, is there in these cases . . . in the event of a complaint by an individual, could you kind of walk us through the process as to how that complaint might be initiated and get into the investigation stage; how one might initiate a complaint and how it would be responded to through the board. Is it to the law society, is it to the chairman of the board?

**Hon. Mr. Nilson:** — I was fortunate never to have any personal experience in this area, so I'm having to get advice from my officials. But practically, what happens if there is a complaint, usually by a letter, it goes to the staff at the law society who review it on an initial basis and gather information at that stage. And sometimes they're dealt with at that stage.

If it's not dealt with at that stage, it goes to, as an appeal, to the Chair of the discipline committee — I think that's right — and then from there if it's deemed to be a matter of great consequence or it's a serious issue, it would then go on to an investigation committee. And the investigation committee includes these benchers, or with the amendment would maybe include a bencher and somebody else.

Usually the investigation committee I think is one — is it one person usually? — three people in the investigation committee. They then end up making a report and it goes then to a hearing committee and that hearing committee makes a decision which in turn then goes to the benchers as a whole to confirm whatever the hearing committee decides. At all of those levels the complainant has all the rights they wish to have. They can actually have their own lawyer at every stage of this whole process if they wish.

Now I think the statistics would probably show that many of the matters are dealt with at the first or second level. And many times it's a communication problem so that once it goes into the staff, they get the proper response from the lawyer who's complained about, it can be resolved at that stage. But there is a whole, very clear process. And after all that's done, if there's still a concern about the process the matter can go to the court and be dealt with through the court system as well.

**Mr. Osika:** — Thank you, Mr. Minister. It has been said that if it wasn't for lawyers, we wouldn't need lawyers. I guess the reason I was asking the question about how the investigation was initiated — and I appreciate your response — would the benchers, again going back to the people that are initiating the investigation, do they have the option of obtaining the services of an experienced investigator? I'm thinking about someone that might have served as an investigating officer, either a private agency or even a law-enforcement agency. Would this be the time, as well, that they might be called in to assist?

**Hon. Mr. Nilson:** — The law society, at the present time, has a contract auditor — a CA (chartered accountant) — who, because many of the times the issues involved here involve

money or the disappearance of money . . . and so they have a contract auditor. I think practically, if there were other issues that came up that involved investigation which required the use of a private investigator or somebody with a police investigation, that would be contracted for as well. It really depends on what the case is. But on staff they do have a contract auditor who is a CA, and he actually works with prevention things as well where he goes in and analyses trust account systems and things like that.

**Mr. Belanger:** — Yes, Mr. Minister, just as you are aware, northern Saskatchewan, the judges in the court, clerk, fly in from La Ronge, and they also travel in with their legal aid assistants and lawyers. Has there been any complaints in reference to the Act in terms of the amendments here when it comes to making sure that there's fair process and fair time to spend with people that have broken the law and do seek help from the legal aid lawyers? And I don't see anything in this Act in reference to that particular problem. Because flying into a northern community, they go there for court, do their stuff, and then they fly out again. That is a bit unfair and I was just wondering whether these amendments would address that particular problem?

**Hon. Mr. Nilson:** — I don't think these amendments deal with that problem. I mean practically, if somebody felt that they were getting poor or no representation, as the case may be, in northern Saskatchewan because of the way the system is set up, you could use this complaint process to the law society, and you could use the present one or the new amendment one. There's no restriction on that. So I think it is a possible remedy for what you're talking about.

But practically, we're dealing with The Legal Profession Act and the procedures for complaints against lawyers. And that isn't something that's specifically included here.

**Mr. Belanger:** — Has there been any complaints in reference to some of the practices of northern Saskatchewan? And as well, has there been any consultation of anybody from the North that could possibly sit as a bench?

**Hon. Mr. Nilson:** — As far as I know, there haven't been any complaints about that. But you may wish to contact the law society and ask them directly. I'm sure they'd be quite willing to talk about that.

I think it is a good suggestion to look at somebody from northern Saskatchewan as a lay bench. I don't know if any of the lawyers from La Ronge, for example, have been benchers in recent years. But that's another way that one of the lawyers from that area could be elected. But I think it's a good suggestion and I will keep that in mind.

**Ms. Draude:** — Mr. Minister, I understand that trust funds were paid to the Minister of Finance after 10 years if they're unclaimed. I'm just reaffirming that the interest that's on that money will also be going to the Minister of Finance.

**Hon. Mr. Nilson:** — No, I think — well I'm not totally certain on this — I think it goes to the law foundation and it's used for

funding of public legal education, for law school, for other things, because it's trust funds held by lawyers. If there's not specific trust provisions, then the interest on the money would go to the law foundation fund.

And that's a whole . . . I mean I think there was a report that I tabled that sets out the money that's held by the law foundation, how that's all spent. If you have questions about that, I can ask.

This particular provision is an interesting one and it's, I think, in many ways a bookkeeping situation. When a trust fund . . . when money is given to a lawyer in trust and then the person who's money it is disappears, or . . . Well I mean, that's basically the only time, the person disappears. Eventually that money can be turned over to the law society by the law firm because they don't know what to do with it; it's not their money.

And so then it's been held there sort of for ever; they've decided that, you know, this would make more sense, that it would just be turned over to the province of Saskatchewan. I'm not certain if there's any provision that if the person showed up in 30 years that they might be able to come back and say, well I left some money somewhere and then the amount would be returned to them, but I would assume that could be a possibility. But it's a very rare case, a very kind of strange case, and this assists the law society in dealing with the money at some way rather than holding on to it for ever.

**Ms. Draude:** — Do the records have to be kept on that for longer than 10 years though, in case something would happen to somebody and they would come back in 15 years from now and say, my grandfather died and I don't know where my money is?

**Hon. Mr. Nilson:** — If you look on page 3 of the Bill here, it says, the subsection that would be added as subsection 14:

“(7) . . . (A person could then establish) to the satisfaction of the Minister of Finance that he or she is entitled to money paid to the Minister of Finance, the minister shall pay an equivalent amount to that person out of the general revenue fund.

So that covers a situation where they weren't able to find somebody to get the money and then 25 years later they came back. They would get that sum, but probably not the interest.

The committee reported progress.

The Assembly adjourned at 5 p.m.





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