

The Assembly met at 1:30 p.m.

Prayers

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Mr. Osika:** — Thank you, Mr. Speaker. I rise today to present a petition on behalf of concerned citizens of the province of Saskatchewan to save the Plains Health Centre. 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 on this petition, Mr. Speaker, are primarily from various constituencies throughout the city of Regina. Thank you.

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

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

The centres that people have signed names from are Regina, Balgonie, Pilot Butte, Edenwold, Balcarres, and numerous southern Saskatchewan communities, Mr. Speaker.

**Ms. Julé:** — Thank you, Mr. Speaker. I rise today to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre closure. 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 the petitions are all from Regina, Mr. Speaker, and I so present.

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, I also rise to present petitions of names from Saskatchewan residents 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.

Mr. Speaker, the names that appear on this petition are all from the city of Regina.

**Ms. Draude:** — Thank you, Mr. Speaker. I also rise today to present petitions of names of people 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 this petition are from Regina and from Ituna.

**Mr. McLane:** — Thank you, Mr. Speaker. I rise again today to present a petition of names from people throughout south-western Saskatchewan regarding the Plains Health Centre. The prayer reads as follows:

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

The petition is signed virtually by people from Swift Current and area, Mr. Speaker.

**Mr. Aldridge:** — Thank you, Mr. Speaker. I also rise to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre. And 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 those who have signed this petition, Mr. Speaker, are from across Saskatchewan. On the east side, Wawota; we have Regina, Avonlea. Then we go on to Mankota, Aneroid, Swift Current, and all the way down through Climax, Saskatchewan.

**Mr. Belanger:** — Thank you, Mr. Speaker. I rise again 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 the petition, Mr. Speaker, they're from Fort Qu'Appelle, they're from Indian Head, they're from Regina, they're from Swift Current, and all throughout Saskatchewan. I so present.

**Mr. McPherson:** — Thank you, Mr. Speaker. I rise today on day number 47, the 47th time I've been with my colleagues and the people of Saskatchewan in defence of the closing 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.

Mr. Speaker, the people that have signed this petition, I see almost all of them are from Downey Crescent right here in Regina. I'm not sure where that is. I assume it's in Regina Albert South. The rest of them are all from Regina.

I so present.

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. It is a privilege for me to rise today with a petition that states as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to urge the Department of Social Services of the province of Saskatchewan to reconsider the decision to reduce the programs of the Saskatoon Family Support Centre which provides essential health services through parent education and support programs that serve to break the cycle of family dysfunction that is passed through the generations and to reduce or eliminate violence and abuse in the family structure, and to return these programs of the family support centre to their previous level of delivery of services.

As in duty bound, your petitioners will ever pray.

#### READING AND RECEIVING PETITIONS

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

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

#### NOTICES OF MOTIONS AND QUESTIONS

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. I give notice that I shall on day no. 52 ask the government the following question:

To the Minister of Health: (1) where in Canada can an individual diagnosed with four-stage multiple chemical sensitivity syndrome obtain treatment; (2) if treatment is available in Canada but outside of Saskatchewan, are out-of-province patients accepted; (3) if treatment for four-stage MCS is not available in Canada, where is the nearest treatment centre; and (4) are the costs associated with such treatment covered by Saskatchewan medicare?

**Mr. Bjornerud:** — Thank you, Mr. Speaker. I hereby give notice that I shall on Friday next move the first reading of a Bill, An Act to repeal The Service Districts Act; short title, The Service Districts Repeal Act.

**Mr. Belanger:** — Thank you, Mr. Speaker. I give notice that I shall on day no. 52 ask the government the following question:

To the minister responsible for Saskatchewan Housing Corporation regarding provincially funded housing in northern Saskatchewan: (1) how many housing units are administered and owned by the Saskatchewan government and northern administration district; (2) how many of these housing units are mortgaged and how many are rented; (3) what are the total amount of money derived by Sask Housing from these mortgaged and rented homes in one fiscal year; (4) what portion of any of this money is from

reserve or northern municipal communities; (5) what is the annual administration fee charged by the province for the administration of these northern housing units; and (6) given the anticipated increase in demand for northern housing in the next few years, what long-term plan does Sask Housing have in place to meet these needs?

Thank you.

#### INTRODUCTION OF GUESTS

**The Speaker:** — Earlier today at Government House, a tribute was paid to 11 Saskatchewan recipients of national and provincial honours. These 11 recipients and their guests are seated in the Speaker's gallery this afternoon. We want to recognize them in the Legislative Chamber today.

In a moment I will invite the Premier, the Leader of the Opposition, and the Leader of the Third Party to make a few brief remarks. MLAs (Member of the Legislative Assembly) will then have an opportunity to introduce their constituents.

**Hon. Mr. Romanow:** — Thank you very much, Mr. Speaker. Mr. Speaker, members of the Assembly, and our distinguished guests in your gallery, it gives me a great deal of pleasure to rise on behalf of the Government of Saskatchewan to pay tribute and to welcome these distinguished Canadians to our Assembly and our proceedings today. They are the most recent Saskatchewan recipients of the various orders and awards — the Order of Canada, the Royal Victorian Order, the Saskatchewan Order of Merit, and the Saskatchewan Volunteer Medal.

Now, Mr. Speaker, earlier today as you know, sir, myself, you, and a number of our colleagues on all sides of the House had the opportunity to congratulate these individuals for the lifelong, generous gift of time and energy that they have devoted to our province and to our people. And I would just want to, on your invitation, to briefly reiterate this afternoon just how proud we all are of them and their contributions to our country.

Today's event, first at Government House with the presence of Their Honours, and now in the legislature, is a very small one, but I think nonetheless a very important one because it's a way to show our appreciation for their outstanding contributions — contributions which are too many and too varied to list here today.

But whether we're talking about an individual who spends time visiting with shut-ins or one who heads corporations, the point is the same — the pursuit of excellence, commitment to community, and service to one's fellow human beings. That's what it's all about and that is what we're recognizing today. And it's this kind of selfless dedication that makes Saskatchewan, as has been said by others, the very best place in the whole world in which to live.

Mr. Speaker, the Greek philosopher Socrates believed that:

All human virtues increase and strengthen themselves by

the practice and experience of them.

I like that. Human virtues increase and strengthen themselves by the practice and experience of them.

Well we're very fortunate indeed to have among us those who put the highest human virtues into practice and experience them, as Socrates said. In the result, they strengthen not only their own characters, but their neighbourhoods, their communities, their province, and this great country of ours called Canada.

Mr. Speaker, I would ask that all members join me in welcoming our guests to the legislature and in warmly congratulating our honours recipients this afternoon. Thank you very much.

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

**Mr. Osika:** — Thank you, Mr. Speaker. And with the hon. members of this Assembly and to our honoured guests, on behalf of my colleagues in the official opposition, I too would like to extend our congratulations to all the men and women we honoured at Government House this morning.

Mr. Speaker, the 12 people that we are recognizing today come from all walks of life. Each have enjoyed great achievements throughout their lives in many different fields. However, Mr. Speaker, each and every one of these fine people have one thing in common. Through their dedication and hard work throughout their entire lives these people bring a sense of pride to all of us in Saskatchewan.

As I've stated in this House on previous occasions, Mr. Speaker, people like those we honour today represent all that is good in our province and are a testament to the attitude that has always made Saskatchewan the best province in all of Canada.

These honours we hand out as a province and a nation are only a small token of the thanks those folks deserve. They have also achieved a far greater honour however, Mr. Speaker; they have won the respect of their family, their friends, and their neighbours. And it is with a great deal of pride that we are able to stand here today and say thank you to each and every one of them. Thank you for making our province a better place to live.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, I'm pleased to join with the Premier and the Leader of the Opposition in congratulating these people here today. I was also pleased earlier today to take part in the proceedings at Government House in honouring the special guests at the luncheon, and the special pleasure of proposing a toast to them.

Mr. Speaker, it's often said that Saskatchewan's greatest resource is its people, and the individuals we are honouring here today are proof of that. It's people who make communities strong. It's people who make our towns and cities wonderful places to live and raise our families. It's people who make the difference.

The individuals we are honouring today, who have received the Order of Canada, the Royal Victorian Order, the Saskatchewan Order of Merit, the Saskatchewan Volunteer Medal, are the kinds of people that have done their part to build our neighbourhoods, our province, and our country.

I would like to sincerely congratulate and thank all of the recipients for your efforts and for what you have meant to Saskatchewan families. Thank you very much.

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

**Hon. Mrs. Teichrob:** — Mr. Speaker, it is my pleasure to introduce to the Assembly, Dr. Robert Coupland, Officer of the Order of Canada.

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

**Ms. Murray:** — Thank you, Mr. Speaker. It's my pleasure to introduce to the Assembly, Mr. Willem De Lint, Member of the Order of Canada, and his wife Sharon.

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

**Hon. Mr. Wiens:** — Mr. Speaker, it is indeed an honour for me to introduce to the Assembly, Mrs. Irene White, Member of the Royal Victorian Order, and her husband Stewart. Welcome.

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

**Mr. McLane:** — Mr. Speaker, it is indeed my pleasure today to introduce to the Assembly, Dr. Lloyd Barber, Member of the Saskatchewan Order of Merit and Companion of the Order of Canada. Please welcome him.

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

**Mr. Pringle:** — Thank you, Mr. Speaker. Mr. Speaker, it my pleasure to introduce to the Assembly, the Rev. Robert Ogle, Member of the Saskatchewan Order of Merit, Officer of the Order of Canada, and also his sister, Mary Lou.

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

**Mr. Toth:** — Thank you, Mr. Speaker. It's my pleasure to present to you and to the members of this Assembly, Mrs. Theresa Stevenson, Member of the Saskatchewan Order of Merit, Member of the Order of Canada. She's accompanied by her sister.

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

**Mr. Van Mulligen:** — Thank you, Mr. Speaker. Mr. Speaker, it is my pleasure to introduce to the Assembly, Mr. Ted Turner, Member of the Saskatchewan Order of Merit, Member of the Order of Canada, and his wife Mel.

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

**Ms. Bradley:** — Thank you, Mr. Speaker. It is my pleasure to introduce to the Assembly, Mrs. Marion Buckler, recipient of

the Saskatchewan Volunteer Medal, and her husband, Mr. Buckler.

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

**Hon. Mr. Scott:** — Thank you, Mr. Speaker. It is my pleasure to introduce to the Assembly, Nina Moore, recipient of the Saskatchewan Volunteer Medal. And she is accompanied by her husband Harvey today.

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

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. Some individuals who are present today I too would like to acknowledge because they've not only enhanced the lives of Saskatchewan people, they've enhanced my life from knowing them as well.

We have honoured them already, but I would like to join with my colleagues in welcoming Dr. Lloyd Barber and Mrs. Barber, Dr. Ted Turner and Mrs. Turner, and Father Bob Ogle and his sister Mary Lou.

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

**Hon. Mr. Hagel:** — If other members have completed introductions of honoured guests, it's my privilege to introduce to the Assembly, Mr. Russ McKnight, recipient of the Saskatchewan Volunteer Medal.

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

**Hon. Mr. Hagel:** — Mr. McKnight is accompanied by his mother, Mrs. McKnight.

And I will now invite for other invitations . . . other introductions I should say, of guests of the Assembly.

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, I would like to introduce to you and through you to this Assembly a group of students in the east gallery who are from the Humboldt constituency. We have with us 18 brilliant grade 12 students from the Aberdeen School and they are accompanied by their most capable and dedicated teachers, Donna Duriez and Clark Bymoan.

Welcome to each and every one of you. I look forward to meeting with you a little bit later. And so I ask all the members of this Assembly to join with me in welcoming the students and the teachers from Aberdeen to the legislature today.

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

**Hon. Ms. Crofford:** — Thank you, Mr. Speaker. It's my pleasure to introduce to you and to all the members of the Assembly today, in the west gallery a group of 22 grade 3 and grade 4 French immersion students from Connaught School, which is located in the riding of Regina Centre. The students are seated in the west gallery accompanied by their teacher, Ms. Jeannette Revet, chaperons Lori Foster, Jonni Turner, Barbara Miazga, and Lorraine Skinner.

And these students spend 80 per cent of their school day, Mr. Speaker, speaking and learning in French, and so they're well on their way to becoming fluently bilingual. And as adults they will be more prepared to help this country meet the challenges that lie ahead, and I applaud this early commitment.

I look forward to visiting with you after question period. I understand they walked here — 10 blocks — from their school. So I ask all members to join with me in extending an especially warm welcome.

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

**Ms. Draude:** — Mr. Speaker, to you and through you, besides the honoured guests in your gallery, we have 17 very important people. They are grade 10 students from Muenster. There's 17 of them along with their teacher, Richard Leuschen. And I'd like you to welcome them, along with the rest of my colleagues in the Assembly.

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

**Mr. Van Mulligen:** — Thank you, Mr. Speaker. Mr. Speaker, in your gallery, I should like to introduce to you and through you to the members, another distinguished group of Saskatchewan citizens and some visitors from other provinces. These are members of the Saskatchewan association of city clerks. They have come to the Legislative Building today to meet with the Clerks of the Legislative Assembly. I look forward to meeting with them myself later on this afternoon.

Mr. Speaker, at this point I should like to introduce them individually. From the city of Melfort, Joanne Forer, and if you could stand; from the city of Melville, Ron Walton; from the city of Moose Jaw, Brian Hamblin; from the city of North Battleford, Doug McEwen; from the city of Prince Albert, Charmaine Code; from the city of Regina, Randy Markewich; from the city of Swift Current, Delores Cox, and the assistant clerk, Dianne Hahn; from the city of Weyburn, Fred Martin and Cheryl Heisler; from the city of Yorkton, Laurie-Anne Rusnak; and from the city of Medicine Hat, Larry Godin; and from the city of Brandon — my old home town, Mr. Speaker — Ian Ford.

I would ask all members to extend a very warm welcome to these clerks.

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

**Ms. Haverstock:** — Thank you very much, Mr. Speaker. I noted when I came into the Assembly today that there is someone in your gallery who has just been acknowledged by the hon. member from Regina Victoria. But I would like to extend my warm welcome through you to Doug McEwen, who is pivotal in keeping the wonderful city of North Battleford run well.

So if all of us would once again put our hands together to acknowledge . . . oh, and the hon. member from North Battleford, we'll give a slight acknowledgement to participating in that, Mr. Speaker. Please join with me in welcoming Doug

McEwen one more time.

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

**Hon. Mr. Upshall:** — Thank you, Mr. Speaker. Mr. Speaker, today I would like to introduce to you and through you to the Assembly, a political veteran, not in the front lines of elected politics but in the even more important role of following through on all of the commitments we elected people make, and that is my constituency secretary of 10 years. Not very many people can stick with me for 10 years but she has. Carol Rowan from my Watrous office.

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

**Mr. McLane:** — Thank you, Mr. Speaker. I'd like to introduce to the Assembly through you, a constituent of mine from the village of Regina Beach, Mrs. Lloyd Barber. I'd ask the Assembly to welcome her here today.

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

#### STATEMENTS BY MEMBERS

##### Relocation Project at Cando School

**Ms. Murrell:** — Thank you, Mr. Speaker. I have another example of education dollars being spent wisely in my constituency. Recently I had the pleasure of participating in an open house for a relocation project at Cando School. A six unit, relocatable facility, known as St. Gregor School, was moved to Cando School to provide additional classroom space.

Everything fell into place for this project. At the time the Biggar School Division expressed an interest in the facility, St. Gregor was closed. This addition to the school demonstrates cooperation between all partners in education.

The total cost of the project was just over \$594,000. A permanent addition of comparable size would have cost over \$800,000. That's a saving of more than \$200,000 — good news for taxpayers and money well spent because the addition means better facilities for students and teachers.

This project also proves the value of the Education department's policy of approving relocatable schools. I would like to congratulate all school board trustees, teachers, parents, and children, for their involvement in this project. Congratulations should also go to the Biggar school district. By spending our education dollars wisely, we are ensuring quality education for our children. Thank you.

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

##### Community Spirit in Camsell Portage

**Mr. Belanger:** — Thank you, Mr. Speaker. I'd like to congratulate the residents of Saskatchewan's most northerly community of Camsell Portage for their tremendous community spirit. This small northern community of only 40 people has managed to accumulate over \$100,000 in savings over the

many years, and that's from an annual small operating budget. Camsell Portage local advisory board is spending some of this money to send five students on an educational trip to Ontario. The students also held some fund-raising projects to pay for the rest of the trip so they can go out but at no cost to their families.

Camsell's town council is also conscious about the appearance of the community, and every year it hires local people to carry out clean-up duties and a clean-up project in general. Camsell is also doing other things to provide stimulating activities for children in the area by extending a local playground and playground activities.

I would like to congratulate the people of Camsell on their positive management of their small community and for providing an encouraging environment for youth in the area. Thank you.

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

##### Lloyd Johnson Memorial Centre

**Mr. Langford:** — Mr. Speaker, on Monday, May 6, I was honoured to take part in the grand opening celebration of the healing lodge located in my constituency. It is called the Lloyd Johnson Memorial Centre, named after an elder who was a member of the Sturgeon Lake First Nations. Mr. Johnson has suggested that such a facility was needed, and today the suggestion has become a reality.

The healing lodge is a self-healing facility. It is intended to provide support through the use of traditional Indian customs, practices, and ceremonies. There are two sweat houses situated outside the healing lodge which are also part of the facility. The vision statement for the centre is to provide first nations families, individuals, and communities a secure and safe environment. The Lloyd Johnson Memorial Centre will serve as an example of how to heal and to nurture relationships.

I extend my congratulations and best wishes to Sturgeon Lake Band, the elders, the workers, Mrs. Johnson, and those who helped this project develop from an idea into a worthwhile facility. Thank you.

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

##### School Safety Patrol Week

**Ms. Draude:** — Thank you, Mr. Speaker. I would like to recognize this week's designation as School Safety Patrol Week.

Young students are often quite excited when they're going to and when leaving school, so they are not always paying attention to nearby traffic. It only takes a few seconds for a tragic accident to occur. It has happened in the past and any preventative measures that need to be taken to ensure children's safety must be done.

That is why it is so important that many teachers, parents, and students volunteer their time to educate other children about

traffic safety and how to train them and how to operate a school safety patrol.

I can certainly vouch for how seriously these young people take their safety patrol duties. Some of them wield those stop signs with lots of authority. Keep up the good work.

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

#### Expansion of Thomson Meats

**Mr. Kowalsky:** — Mr. Speaker, I'm pleased to bring to this Assembly another success story in value added processing in Saskatchewan.

The official opening of newly expanded facilities at Thomson Meats took place in Melfort today. The expansion, which cost an estimated \$4 million, is expected to create about 30 new jobs, bringing the total number of employees at the plant to 100.

The company's production capacity will be tripled, allowing it to expand export sales to the Pacific Rim. This kind of development in Saskatchewan will ensure more jobs for the future and includes the components of our *Partnership for Growth* strategy.

Mr. Speaker, this expansion was made possible in part through a \$500,000 investment from the agri-food equity fund and an investment of \$286,000 from the Melfort and district community bond project.

The economic spin-offs that will result for the Melfort area prove that partnerships like this can benefit Saskatchewan. The expansion will increase Thomson's purchases from local suppliers in all aspects of the business.

This is an excellent example of how an innovative company can diversify rural Saskatchewan and be known internationally as a competitive producer of quality products for the world market.

I would like to congratulate president Lorne Thomson and all of the employees of Thomson Meats; Michael Mahon of the Melfort and district community bond corporation; and the Hon. Ministers of Economic Development and Agriculture who participated in officially opening the expansion today.

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

#### Provincial Volleyball Teams

**Mr. Krawetz:** —Thank you, Mr. Speaker. Mr. Speaker, recently two Saskatchewan provincial junior volleyball teams were chosen, after a series of try-outs and competitions. I am proud to report that a young man from my constituency, Mr. Kenneth Kotyk has been successful in his efforts to secure a position on one of those teams.

Ken is 15 years old and is currently attending grade 9 at the Invermay School in my home town. He has always been a hard-working and dedicated young man and obviously a

fantastic volleyball player. I would like to take this opportunity to congratulate Kenneth and other members of the Saskatchewan provincial midget volleyball team.

The group's first tournament will take place in Manitoba from August 9 to 11, which after, I hope, Mr. Speaker, that I will be able to allow everyone to see his gold medal. Until then, please join me in extending best wishes to these young men as they prepare to represent Saskatchewan at the national level. Thank you.

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

#### New Wood Product

**Mr. Johnson:** — Mr. Speaker, in Saskatchewan we know that the future prosperity lies in value added processing and seeking markets for the new products. Mr. Speaker, one company in my constituency has succeeded in finding new uses for a tree many Saskatchewan farmers long have regarded as a weed. I'm referring to the poplar.

L & M Wood Products of Glaslyn, a locally owned company that produces lumber and treated fence posts and building material as well as purchasing over a million dollars worth of timber from local, small operators in the area, has been working to create a niche for the company's new aspen flooring, panelling, and moulding. Aspen is a good material because it is cheap and it can be given a good finish.

Mr. Speaker, I ask all members of the Assembly to join me in congratulating L & M Wood Products for their initiative and for their ongoing contribution to Saskatchewan's economy.

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

#### Lifetime Award for Excellence in the Arts

**Ms. Murray:** — Thank you, Mr. Speaker. Today I'd like to congratulate one of my constituents, an outstanding man, a talented artist, and a fine friend — McGregor Hone — who received a Lifetime Award for Excellence in the Arts from the Saskatchewan Arts Board this past weekend.

Mac Hone has created and exhibited his art during a career that has spanned more than 50 years. He taught art at Central Collegiate in Regina from 1947 until 1979 and founded the Cenarts program which attracted students from all over the city. He retired to Lumsden in 1979, where he continues to paint and make prints full time.

His painting, "By the Radio", was the very first painting acquired for the Saskatchewan Arts Board permanent collection in 1950. Now his name has been added to the Saskatchewan Arts Board's honour roll of exceptional people, people who have contributed so much to the arts in Saskatchewan, people who have received a Lifetime Award for Excellence.

The other winners this year were writer and poet Elizabeth Brewster from Saskatoon; the late Mary Ellen Burgess, who contributed so much to drama in the province; and Cree artist

Allan Sapp, whose paintings about life on the Red Pheasant Reserve are exhibited around the world.

I'd like to congratulate and thank all the award winners for their tremendous contribution to the arts. Thank you, Mr. Speaker.

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

## ORAL QUESTIONS

### Crown Construction Tendering Agreement

**Ms. Draude:** — Mr. Speaker, one year ago the Minister of Economic Development told delegates to the Saskatchewan Chamber of Commerce annual general meeting to give the Crown Construction Tendering Agreement one year. He promised that the results would be reviewed after one construction season.

Mr. Speaker, it is one year later. The chamber's annual meeting begins today, and the results are clear. The CCTA (Crown Construction Tendering Agreement) is hurting construction firms. It is detrimental to job creation, and it is costing Saskatchewan taxpayers a great deal of money.

Will the minister confirm in this House today that this agreement will be eliminated? Or is this yet another in a long string of broken promises?

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

**Hon. Mr. Anguish:** — I'd like to thank the hon. member for her question. Mr. Speaker, earlier this week we answered a question from the member from Melfort-Tisdale — I believe it was — and I indicated to him at that time that there was a meeting the very day that he'd asked the question between officials from the Crown Investments Corporation and the Saskatchewan Construction Association.

That meeting in fact did take place. There's another meeting that's going to take place later on this month. We felt that the review had almost been completed, but there was a willingness for further discussions on the part of the Saskatchewan Construction Association. Those discussions will be ongoing. The Minister of Economic Development and myself will be in North Battleford tomorrow at a session with the chamber of commerce where we will further answer the question that the member poses here today, and we feel that the review is almost concluded and we'll have a report very shortly.

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

**Ms. Draude:** — Mr. Speaker, yesterday a member of our caucus was removed from this Assembly for defending Saskatchewan's seniors and challenging this government for breaking promises to care for our elderly. As a result, we've received an overwhelming response from the public who are tired of the government's broken promises.

Mr. Speaker, a 1991 NDP (New Democratic Party) election platform document promised, and I quote, "fair and open

tendering for government contracts." The Minister of Economic Development promised a review which, if done properly, will result in the elimination of CCTA.

So I ask you, Mr. Minister, when can we expect a true, fair, and open tendering policy?

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

**Hon. Mr. Anguish:** — Well first off, before addressing the direct question, I want to address the preamble of the member. To set the record very straight, the member from Melfort-Tisdale was not removed from what she said yesterday; he was removed because of unparliamentary conduct on the floor of this legislature.

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

**The Speaker:** — Order, order. Now hon. members on both sides of the House will know that it is inappropriate to comment on Speaker's rulings. I caution the hon. member for Kelvington-Wadena that she comes dangerously close in doing that in her question. Order. And I advise the hon. minister that he is directly offending that principle of the House, and I will ask all members to conduct themselves honourably without conduct . . . in a conduct that is not commenting on the proceedings and the conduct of the Chair.

**Hon. Mr. Anguish:** — In direct answer to the question, Mr. Speaker, I find it quite amazing that the Liberal Party would come off with something like this when the review is still in progress and they say scrap something before it's even reviewed.

I mean we know they did that with their leader. We know that they act irresponsibly within the legislature and in the province, and that's the very reason why they're plummeting in the polls in Saskatchewan.

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

### Highways Budget

**Mr. McLane:** — Thank you, Mr. Speaker. Mr. Speaker, prior to the 1991 provincial election, the now Premier toured Saskatchewan making fun of Grant Devine's public golf course — the provincial highway system — and indicated that there were 18 holes to the mile.

However since taking power under his NDP government, the highway budget has plummeted from a 1991 level of \$212 million to an estimated \$169 million this year. In addition, today only 40 per cent of gas tax revenues go back into maintenance and construction. Only six years ago, Mr. Speaker, all such funds were directed back into the system. And most recently we saw this government close 26 highway maintenance depots.

Mr. Premier, our highway system or golf course — whichever term you use now — is now 72 holes to the mile in many areas of our province because of your government's lack of

commitment. Will you explain why once again you have failed to live up to another promise?

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

**Hon. Mr. Renaud:** — Thank you. Mr. Speaker, through you to the member opposite, I want to tell the member that's a very interesting day that he asked that question. Because you see yesterday I was in Ottawa — just arrived back a little while ago — meeting with the Senate committee on Bill C-14.

Of course that's the new transportation Act that the federal government is going to pass, and hopefully the Senate will listen to us. But what that Act will do, Mr. Speaker, is allow railways to abandon track a lot faster than they do now. That will have immense impact on the roads of Saskatchewan.

I know the member would like us to spend more on highways, but he should be talking to the members over there, the third party, Mr. Speaker, who spent like drunken sailors and we have \$851 million in interest to pay each year. That's who he should be directing his question to.

And he should be directing his question to the federal government, who is passing Bill C-14, and not only that, but is taking away money from health, education, and social programs that we have to back-fill, Mr. Speaker.

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

**Mr. McLane:** — Thank you, Mr. Speaker. There are dozens of examples of highways within this province that pose a very real safety hazard for motorists. A few examples, Mr. Speaker: Highway No. 44 from Davidson to Loreburn; No. 19, the Elbow corridor; No. 13 from Weyburn to the Alberta border, also known as the Red Coat Trail, and I guess a trail it is becoming; No. 42 from Tuxford to Eyebrow, and No. 15 from Melville to Outlook.

Will the minister explain why, when our highways are virtually falling apart and pose a significant risk to those travelling these routes, that this government is not taking immediate action and living up to its promise to address these safety concerns?

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

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker. I want to tell the member opposite that we are doing a lot of things in Highways. We're looking at new technologies in tire inflation programs. We're looking at partnerships with the private sector, and these partnerships are working. We're working with regional councils, with RMs (rural municipality), to better plan highway spending. And also internally, Mr. Speaker, the last budget, the member will know that we took \$6 million out of administration in Highways, money that will go directly into roads.

But he should be questioning the federal government, Mr. Speaker, who is taking money away from health care and social programs and education, forcing our departments to take some of our money to back-fill what his federal government is doing.

He wants us to cut taxes, but then spend more. If he was on this side of the House, Mr. Speaker, I know we would be in the same boat that we were 10 years ago under the third party that sits over there, Mr. Speaker.

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

**Mr. McLane:** — Mr. Speaker, a sign at each of our border crossings welcoming visitors to Saskatchewan is really not necessary anymore. Tourists only need to feel that familiar thump that Saskatchewan residents all know too well.

Mr. Speaker, this government claims to have a commitment to building tourism into a major industry in this province. Yet they do nothing to address the safety concern that will discourage visitors from travelling the province. A perfect example is Lake Diefenbaker, renowned tourist destination, with no proper highway system for people to get to it.

Mr. Speaker, if the minister and his government are truly committed to tourism, will he stand in this House today, live up to a promise, and make a commitment to properly fund our provincial highway system?

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

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker. I know the member is fairly familiar with accidents. I remember one just outside this building not too long ago. Mr. Speaker, there was not one bump in that road.

But I want to remind the member opposite again about Bill C-14 and with allowing the railways to abandon track very fast. We have 25 per cent of all the roads in Canada right here in the province of Saskatchewan. We have a million people. Not all of those people pay taxes. We have to look after those roads.

The federal government is telling us, we will allow the railways to abandon rail line in the sake of efficiencies. In the sake of efficiencies to who? To profits for the railways. No consideration at all for municipal governments and provincial governments for road damage — not one consideration, Mr. Speaker. He should be talking to Mr. Anderson in Ottawa.

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

### Crown Construction Tendering Agreement

**Mr. Goohsen:** — Thank you, Mr. Speaker. My question today, Mr. Speaker, is to the Minister of Economic Development.

Mr. Minister, the Saskatchewan Chamber of Commerce is indeed holding its annual meeting this week, and last year at the meeting you promised personally to review your union-preference tendering policy. Now this review has also been promised on several occasions by your Minister of Labour and by the minister in charge of CIC (Crown Investments Corporation of Saskatchewan). Well, Mr. Minister, we're still waiting. Today your Minister of Labour tells us that in fact there is a review ongoing.



We would like to know, Mr. Minister, is this review coming to some sort of a conclusion sometime or are we simply waiting and dragging our feet until the session is over? Or are you just waiting so that we won't have a chance to put your feet to the fire in this Assembly because you have reneged on your promise?

Mr. Minister, you said that you are close to completing this review. When will this review be released? When will we find out what is going on, the rest of us who live in this province of Saskatchewan?

**Hon. Mr. Anguish:** — Same answer as to the other questioner — very, very soon, Mr. Speaker.

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

**Mr. Goohsen:** — Well, Mr. Speaker, we will continue our question to the Minister of Economic Development because obviously the Minister of Labour wants to duck.

Mr. Minister, the chamber of commerce is holding its annual meeting now. In last year's meeting, you promised that you are going to take care of this problem. You promised to review this policy and to make your necessary adjustments for this year so that the construction season could go ahead unimpeded by this terrible policy that you put into place.

Now they say, over at the chamber of commerce, and the president says, that the union-preference policy should be cancelled, and it should be cancelled because it's preventing chamber members, particularly people in small towns, from bidding on contracts, and we agree with what he is saying because, Mr. Minister, quite frankly, it's not only affecting the small communities. It's now affecting all the bigger communities as well — Regina and Saskatoon.

We want to know when you will come to your senses and get your Minister of Labour under control, Mr. Premier, and have him answer a few questions in this Assembly and come clean with the people in the chamber of commerce. And in fact when will you cancel this ridiculous and foolhardy policy?

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

**Hon. Mr. Anguish:** — The party opposite, Mr. Speaker, would understand ducking quite well, and I don't want to be accused of that, so I'll elaborate a bit on my answer to the hon. member.

We felt that the review of the Crown Construction Tendering Agreement was almost concluded. We had some indication from the Saskatchewan Construction Association they want to have further discussions. There was a discussion this week between the executive director of the Saskatchewan Construction Association and at least one official from the Crown Investments Corporation. They've scheduled another meeting for later this month, in the month of May. And we feel that the end of those discussions will be the end of the review. And in due course, we will be making an announcement as to the disposition of the Crown Construction Tendering Agreement.

But calling a spade a spade and not to have the party opposite ducking around, what they want is not a review of anything. What they want to do is, any progressive legislation that we have in Saskatchewan, they want to scrap it. They want to end it all. They want to be Alabama North, and that's the long and the short of it. They should be the ones to come clean with the legislature and not play these silly games they do.

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

### Potential Home Care Workers' Strike

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, my questions are to the Minister of Health. Mr. Minister, home care workers have voted to go on strike. I guess that's not too surprising after the sweetheart deal cut with SaskTel workers. As we had said earlier on, it's obvious most other groups are going to want as much if not more.

Mr. Minister, everyone's going to be looking for similar pay hikes. Your destruction of the health care system means more people are being cared for through home care than ever before.

Mr. Minister, what are you doing to prevent this strike? What are you going to do to ensure the sick and the elderly are not put in danger because of a possible home care strike?

**Hon. Mr. Cline:** — Mr. Speaker, I don't agree with the member when he characterizes the settlement with the SaskTel workers as being outside of the mandate, because it wasn't.

And I want to say to the member that comments are made when there are collective bargaining disputes, comments have been made by parties in the context of a collective bargaining dispute.

I think what is most important is that we encourage the parties to continue negotiating, as I know they will. And I believe that the union and management are people of goodwill and reasonable people. And I believe, Mr. Speaker, that they will talk out their differences and successfully bargain a collective agreement. And that's what they should do; that's what I'm sure they will do, Mr. Speaker.

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

**Mr. Toth:** — Thank you, Mr. Speaker. A further question, Mr. Minister. It's obvious, Mr. Minister, that as we saw with the SaskTel situation, while you talked about mediation and working out their differences — it didn't until they went on strike and then you came up with a sweetheart deal.

It appears to me, Mr. Minister, in this situation we're going to have many people . . . and we've talked about it over the last number of days regarding home care services in the province and the problems that people are facing today. What's going to happen when a strike takes place?

These people are in jeopardy because of the threat of a home care strike and they're in jeopardy because of your actions regarding our health care system.

Mr. Minister, the Manitoba government has just announced that it intends to pass essential services legislation to outlaw full-scale strikes in a number of essential services, including home care. And listen to this, Mr. Minister: before you condemn this Bill on political grounds, you should know that it is modelled on legislation passed by the former NDP government in Ontario. Mr. Minister, immediately after question period, I will be moving an emergency motion calling on your government to introduce similar legislation here in Saskatchewan, legislation that will . . .

**The Speaker:** — Order, order. Order, order. The hon. member has been very lengthy in his preamble, and I'll ask him to put his question directly.

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Minister, will you support this emergency motion that we propose to bring forward?

**Hon. Mr. Cline:** — I was already aware of the fact, Mr. Speaker, that the member's party did not believe in free collective bargaining and the right of people to take job action.

But I want to say to the member that free collective bargaining, I believe, will be successful in Saskatchewan in achieving a resolution as between the union and management. I have every confidence that the parties will continue to get together to resolve their differences. That's what they should do. That's what we should encourage them to do. It is not an issue that we should inject ourselves into or that we should politicize. It is an issue of collective bargaining, and I'm confident that the parties will resolve their differences, unlike what is occurring in the province of Manitoba where I believe the government there is privatizing home care, Mr. Speaker.

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

#### Highways Asphalt Purchases

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker. I rise today to answer a question that was given to the Minister of Economic Development who took notice on my behalf on day 39 from the member from Cypress Hills, and I would like to provide that answer now.

Mr. Speaker, the member from Cypress Hills was enquiring as to purchase of asphalt emulsion from Koch Oil. Koch Oil is one of several companies which have been awarded tenders from the Department of Highways in the 1995-96 budget year. Other suppliers include Husky Oil and Ace Industries.

Given the Agreement on Internal Trade, we cannot prohibit bids from Canadian companies, including those that use external sources of input materials.

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

#### Hospital Closures

**Ms. Draude:** — Thank you, Mr. Speaker. Mr. Speaker, yesterday one of our members stood up in this House to speak

up for the seniors of his constituency. He asked a very serious question, and all he received was a snide answer from an arrogant government.

Well, Mr. Speaker, the time to stand up to this arrogance is long past due. People in my constituency are also asking questions. In their first term, this government forced the closure of the Spalding Hospital. Then this spring, they shut down the Rose-Valley centre, forcing seniors out of their homes to communities throughout the area. Now my constituents fear that Kelvington is next on the chopping block.

Will the minister tell the people of my constituency, now, if this is indeed the plan, or will he promise the sick and elderly that he will commit to the funds to keep this facility open?

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

**Hon. Mr. Cline:** — Mr. Speaker, I find it unfortunate that the opposition would get up in the House on more than one occasion and suggest that this government or local health districts would have people turned out of their homes onto the street. That has not happened; that will not happen.

I also find it unfortunate, Mr. Speaker, that the members opposite do not respect the right of people in their own communities to come up with health care plans that meet the needs of people in their districts.

And I want to say, Mr. Speaker, that the Saskatchewan government funds health care better probably than just about any jurisdiction in Canada. The Liberal government in Ottawa, as I acknowledge has been said many times, is cutting back dramatically on health care spending. We are putting in a dollar for every dollar the Liberals have taken out. Conservative and Liberal governments across the country are cutting back on health care. Mr. Speaker, we are not doing so; we will not do so.

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

**Ms. Draude:** — Mr. Speaker, the hospital closures are changing the total structure of rural health care in Saskatchewan, and people are scared. And with this government's arrogant attitude, they have a right to be scared.

In my constituency people are now faced with over an hour's drive to get to the nearest facility. The golden hour of health care has disappeared. Now, thanks to this government's destructive actions, it's more like a golden week in some cases.

Mr. Speaker, the member from Melfort-Tisdale was standing up for his constituents and trying to get a straight answer from the Health minister. What do we have to do to get a straight answer?

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

**Hon. Mr. Cline:** — Mr. Speaker, what always amazes me coming from the members opposite, is that they get up and say that they are protectors of a system that they fought tooth and

nail to prevent from coming into being in the first place.

And I was reading the *Hansard* from 1962 last week, Mr. Speaker, and I was reading what the Liberals said in 1962 when this party wanted to introduce medicare. And the irony, Mr. Speaker, is what the Liberals say today is the same as what they said in 1962 in many respects.

The last vestige of the Liberal Party when it's on the run is to engage in fearmongering. They will tell people that your doctors are going to leave, your nurses are going to leave; you're not going to have medical care; you're going to be thrown out onto the street. This is a 30-year history of this party, Mr. Speaker.

But I want to say to the member that we invented medicare and we're going to keep the medicare system healthy in this province, Mr. Speaker.

#### Saskatchewan Union of Nurses Collective Bargaining

**Mr. McPherson:** — Thank you, Mr. Speaker. Mr. Speaker, the Saskatchewan nurses' association is preparing to resume bargaining on behalf of 6,700 employees next week.

As the Minister of Health is aware, safe patient care is one of the issues SUN (Saskatchewan Union of Nurses) is taking to the negotiating table. SUN president, Judy Junor, says this is because, and I quote:

Safe care is being jeopardized every day by having too few nurses, no nurses on call to cover emergencies, and nurses are not being replaced if they are ill. Combine this with more cuts and we've got a health system in crisis.

Mr. Speaker, when this government embarked on its so-called health care reform it promised — it promised — the continuation of a safe and reliable health care system. The people of Saskatchewan are seeing anything but. Will the Minister of Health explain how his government plans on addressing yet another broken promise?

**Hon. Mr. Cline:** — Mr. Speaker, I want to remind the member that the comments that have been made concerning the situation are made in the context of a collective bargaining dispute.

And the union of nurses and SAHO (Saskatchewan Association of Health Organizations) are good people and reasonable people, and they will get to the table and talk about their differences. And what they don't need is the member or myself injecting ourselves into that situation. That situation should be allowed to take its natural course and I'm confident that the natural course will be a successful resolution of the negotiations.

But I want to say to the member, what are we doing? This is what we are doing. For every dollar that your party is taking out of the health care system we're taking one of our dollars and putting it back in. And what we are not going to do is what the members opposite advocated last week. And I'm quoting from the member from Arm River who said, "If there are people that

are prepared to pay, then I think we have to let them pay."

That's not the kind of system we want. We do not want American-style health care, Mr. Speaker.

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

**Mr. McPherson:** — Thank you, Mr. Speaker. Brian Morgan, the chief negotiator for the Saskatchewan Association of Health Organizations, has indicated that this government has made it clear that any negotiated salary increases will come out of existing district health board operating budgets.

As a result, health districts, many of which have already received a reduction in funding from this government, are poised to cut and slash even more services and staff to meet their shrinking bottom line.

Mr. Speaker, the Premier promised — he promised — prior to the 1991 election that the NDP government would be, and I quote, "committed to the fundamental principles of medicare and hospitalization." District health boards cannot possibly provide a proper level of health care services given the continual reduction in funding.

Given this fact, will the minister explain how he can stand in this House and truthfully tell the people of Saskatchewan his government has honoured this promise?

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

(1430)

**Hon. Mr. Cline:** — Mr. Speaker, I have no difficulty standing in this House saying that this government has honoured its commitment to the people of the province to make health care spending its number one priority. Over one-third of the money that we spend, Mr. Speaker, is spent on health care, and we have back-filled the Liberal cut-backs to health care.

It is not this government, Mr. Speaker, that has a difficult position to take standing up and defending health care. It is that party, Mr. Speaker, that is in a difficult position because it is that party that is cutting back on health care and it is that party that has a record of opposing public medicare. It is that party that is advocating a two-tiered system of health care — an American style of health care which we don't need in this province.

We are going to ensure, Mr. Speaker, that we keep the medicare system that we pioneered in this province and which is the envy of the rest of North America, Mr. Speaker.

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

**The Speaker:** — Order, order. Order! Order! Order! I will ask all members on both sides of the House to come to order when the Speaker is on his feet.

Order. Order! Now I will ask, I will ask the Opposition House Leader and I will ask the Deputy Premier to come to order. I've

called for order and I'll ask for the cooperation of all — Order! — of all members, all members including the third party. Order.

### INTRODUCTION OF BILLS

#### Bill No. 86 — An Act to amend The Municipal Revenue Sharing Act

**Hon. Mrs. Teichrob:** — Mr. Speaker, I move that The Municipal Revenue Sharing Amendment Act be 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. 87 — An Act to amend The Power Corporation Act (No. 2)

**Hon. Mr. Lautermilch:** — Mr. Speaker, I move that a Bill to amend The Power Corporation Act, 1995 (No. 2) be now introduced and read the first time.

**The Speaker:** — Order. Now the hon. minister was moving second reading of a Bill . . . or first reading of a Bill and the Speaker was unable to hear him because of noise coming from both sides of the House. Order.

Now the best that the Speaker is able to do is to assume what the minister has said, and I'm not prepared to do that. I will ask the minister to move the Bill again and I will ask for the cooperation of all members of the House.

**Hon. Mr. Lautermilch:** — Well, Mr. Speaker, I will try again. Mr. Speaker, I move that a Bill to amend The Power Corporation Act, 1995 (No. 2) be now introduced and read the first time.

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

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. Toth:** — Mr. Speaker, before orders of the day, I rise pursuant to rule 46 to move a motion of pressing and urgent necessity.

**The Speaker:** — Order. Order. Order. The hon. member for Moosomin has requested leave to present a Bill pursuant to rule 46. I will ask the hon. member for Moosomin to briefly present to the House the reason why he wishes to have it considered in a priority manner and also then to advise the House of the content of the motion that he would like to move.

### MOTION UNDER RULE 46

#### Home Care Services

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I believe the health of thousands of Saskatchewan people is at risk.

Home care workers have voted 86 per cent in favour of strike action. Mr. Speaker, such a strike could be devastating to thousands who receive care daily from these health care providers. Considering the essential services provided by home care workers, Mr. Speaker, I believe this issue should be debated immediately and that the government needs to immediately declare home care services as an essential service.

Mr. Speaker, the province of Manitoba announced two days ago that essential government services would be protected during strikes, and I believe the same is needed here. Therefore, I move the following motion, seconded by the member from Cannington:

That this Assembly, in order to protect the health of Saskatchewan seniors and individuals receiving home care services, urge the government to immediately declare home care services as an essential services.

**The Speaker:** — Order, order. Order. Order . . . (inaudible interjection) . . . The hon. member has a good idea.

The hon. member for Moosomin has described to the House why he feels it should be considered on a priority basis and has advised the House of the motion that he wishes to move. It requires leave. Is leave granted?

Leave not granted.

### ORDERS OF THE DAY

### WRITTEN QUESTIONS

**Hon. Mr. Shillington:** — Mr. Speaker, we table the answer to question no. 86 . . . (inaudible interjection) . . . Open and accessible government, you're quite right.

**The Speaker:** — The answer to question 86 is tabled.

**Hon. Mr. Shillington:** — I table the answer to this question as well.

**The Speaker:** — The answer to question 87 is tabled.

The answer to question 88 is converted to motions for return (debatable).

Order. Order. All hon. members will come to order, please. It's highly inappropriate for members to be shouting across the floor, and I will ask for the cooperation of all members.

### GOVERNMENT ORDERS

### SECOND READINGS

#### Bill No. 76 — An Act to amend The Health Districts Act, to repeal The Union Hospital Act and The Lloydminster Hospital Act, 1948 and to make consequential amendments to other Acts

**Hon. Mr. Cline:** — Thank you, Mr. Speaker. I rise today to

move second reading of The Health Districts Amendment Act, 1996. Three years ago, the government introduced The Health Districts Act. This Act has been fundamental to health renewal in Saskatchewan, making our health system better able to serve the needs of our people and securing our high quality health system for future generations.

Mr. Speaker, this legislation has been truly trail-breaking, and as is typically the case with trail-breaking legislation, working with it has been a learning experience. In the course of this learning experience, we have been able to identify a number of places where improvements are needed. The amendments before you, Mr. Speaker, are intended to improve this legislation.

To start, Mr. Speaker, the government proposes amendments which reflect what we have learned about the election and appointment process. For example, we have identified a legitimate need to ensure continuity of board members. This can be achieved through staggered terms of office.

As well, the cross-border relationship in Lloydminster requires a unique approach; therefore regulation-making powers in this Bill will establish the process for electing and appointing future Lloydminster Health District board members.

This Bill will also define grounds for the disqualification of elected board members.

Another matter dealt with in this Bill is the continued responsibility of municipalities for outstanding debenture debt of the former union hospital boards. This Act will provide some remedy for the Saskatchewan Municipal Board in case a municipality fails to pay required amounts.

Mr. Speaker, one of the major topics addressed in this Bill is that of affiliates and their relationship with the district health boards. This amendment will establish a formal set of obligations between both the district health boards and their affiliates. For the purposes of this Act, an affiliate will be defined as a person or organization in charge of institutions or homes which are not directly operated by the health board.

There are a number of key sections affecting affiliates and their relationship with district health boards. First of all the Act will require that an affiliate and a district health board enter into a written operating agreement before funding will be provided to the affiliate. If a district health board finds it cannot reach an agreement with the affiliate, the district health board can ask that a mediator be appointed. If mediation is unsuccessful, the mediator will issue a report to the minister. The minister will have the option of setting the terms of an agreement which will be binding on both the district health board and the affiliate.

As well, the Act will provide for the minister, under certain circumstances, to appoint a public administrator, someone with appropriate powers to manage an affiliate's operation. Affiliates will also be required to provide districts with any information they need to carry out their reporting responsibilities. With these amendments in place, the accountability provisions for affiliates will be equivalent to those that exist for district health

boards.

In addition, the Act refers to standards that should be applicable to all health service providers. Where these references occur, they must apply equally to affiliated agencies.

Mr. Speaker, these provisions for affiliates build on work done last year to develop an accountability framework for defining roles and relationships within the health system. And important component of this accountability framework is the notion of a clear legislative base.

These changes with respect to affiliates recognize what will be an ongoing relationship between the health districts and affiliates.

Mr. Speaker, this Bill also addresses the matter of model district medical staff by-laws. For the past several months, many groups have been working on developing such by-laws, including representatives from the Department of Health, the Saskatchewan college of physicians and surgeons, the Saskatchewan Association of Health Organizations, the Saskatchewan Medical Association, the Saskatchewan Association of Health-Service Executives, and finally district health boards.

The work of these groups has resulted in a model for district medical staff by-laws — by-laws which, among many things, recognize the shift from a facility-based model of health delivery to a broader, community-based approach. This amendment proposes to formally ensure that district health boards and affiliates will have such by-laws in place.

Mr. Speaker, a new appeal process for medical, dental, and chiropractic staff is also being proposed. It will replace the appeal mechanisms currently available under The Hospital Standards Act.

Further, a number of changes or additions to regulatory powers are being proposed. These will apply to both district health boards and affiliates.

Included are powers to establish and monitor the standards for services and operating facilities. As well, the Bill provides for the appointment of bodies such as accrediting agencies to monitor and enforce the standards.

(1445)

In addition to the changes I have discussed so far, Mr. Speaker, the continuing development of The Health Districts Act requires changes to other health-related legislation. This includes repealing The Union Hospital Act to reflect the fact that union hospitals as separate entities no longer exist; repealing The Lloydminster Hospital Act to reflect the establishment of the Lloydminster District Health Board; and repealing a number of obsolete sections of The Hospital Standards Act.

To conclude, Mr. Speaker, I believe the amendments in this Bill will support and improve upon the operation of our health

system in Saskatchewan. They will provide a high degree of accountability and they will help ensure similar terms and conditions for health services throughout our province.

Accordingly, Mr. Speaker, I move second reading of The Health Districts Amendment Act, 1996.

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

**Mr. Osika:** — Thank you, Mr. Speaker. I welcome the chance to discuss the government's proposed changes to The Health Districts Act. This Bill only touches on the legal aspects of the health boards. It doesn't even begin to address the underlying concerns people in this province have about changes to the health boards themselves. Although our caucus will address the specifics in the Bill, Mr. Speaker, we also must address the radical changes health boards have gone through with the government's so-called health reform.

Mr. Speaker, it's no secret that the NDP government has ripped apart the health care system in this province. The members opposite have stood back and watched as hospital after hospital shut its doors on rural residents. These same members have listened to the protests of people throughout Saskatchewan but have turned a deaf ear, all in the name of politics. They have chosen to ignore people's objections — objections that cuts were just too deep and too quick.

Mr. Speaker, in this government's administration nothing has hurt them more than their barbaric treatment of the health care system — not cuts to agriculture, not patronage appointments in Crown corporations, not even its dismal job creation record. Although the NDP government has made so many bad choices that have cut deeply into Saskatchewan, the health care system is the heavy cross they will be forced to bear. When history books are written, it will be this NDP administration that is identified with the complete, utter devastation of rural health care in this great province of ours.

Mr. Speaker, this is particularly ironic given that party's reverence of the late Tommy Douglas. The father of medicare would roll over in his grave if he knew how the 1990s right-wing version of his party has decimated health care. Mr. Douglas would hang his head in shame if he saw how the NDP members have ignored rural Saskatchewan. His grass roots party has been ripped up and replaced by the sidewalks of urban Saskatchewan.

Mr. Speaker, the issues surrounding district health boards have done little to help the NDP salvage any trust from Saskatchewan people. Let me read a quote from the September 30 edition of the *Prince Albert Daily Herald*:

From the day district health boards were created there have been complaints. The obvious NDP leanings of many of the original appointees was a sore point. The major decisions made by those board members, including the consolidation of acute care services at one hospital in Prince Albert, was another. The ongoing tendency to close the doors to the public is yet another complaint.

Is yet another complaint. Unfortunately, Mr. Speaker, these complaints are not rare nor are they limited to the Prince Albert area. People in every area of the province express similar concerns. The provincial government may have thought that they could deflect some of the criticism by creating health care boards that were elected instead of appointed. This is what people were calling for, after all.

And we agreed with the people. We wanted to see health care decisions made by true representatives of people and not by the government. Unfortunately this government could not relinquish that control. They allowed for some members to be elected, but made sure that appointed members would still be part of those boards. This way the government still controls the purse-strings.

Look at the Plains Health Centre for example. The new district health board supposedly has a say in what will happen to that facility. Unfortunately their say means that they have to toe the government line, no questions asked. In the case of the Plains health care centre the government line is shut it down; don't talk about it; and for goodness' sakes, don't protest. It's a clever system this government has created — make unpopular choices and use the health boards as your messengers.

Well, Mr. Speaker, it would be a lot more honourable if the members opposite would do their own dirty work and take responsibility for their own bad choices. Mr. Speaker, this government is becoming renowned for its smoke and mirrors policies. They will spend thousands of dollars to sell the message that people have a say, but we're not buying that message, Mr. Speaker, and the people of this province are starting to see it for what it is. It all boils down to government control, very simply.

Mr. Speaker, Bill 76, The Health Districts Amendment Act, makes minor changes that shouldn't cause much concern, and some major changes that could affect the district boards. I'll maybe just touch briefly on some of the major changes today, but we are still trying to digest a large number of implications involved in this Bill.

One of the most important new subsections in this Bill deals with the Saskatchewan Municipal Board. If this Act is passed, the Municipal Board will be responsible for the outstanding debt of former union hospital boards. In other words, the board will have the authority to portion off this debt to municipalities that were part of the union hospital districts.

I understand that in the past some municipalities have out and out refused. The government will be using this Bill to enforce those payments. Mr. Speaker, I imagine that this could trigger harsh feelings in some municipalities, and understandably so. Not only have they watched their funding cut by this provincial government, now this same government is taking over more control. We're back to the control issue, Mr. Speaker. Imagine that.

Before we approve this new subsection, we have to talk to municipalities; we have to talk to lawyers and other interested parties that will be affected rather seriously. We will not pass a

Bill that is simply a government bid for greater power in any respect.

This Bill also proposes the addition of new sections dealing with medical, dental, and chiropractic staff. This Bill would make the passage of by-laws mandatory and would replace the appeal mechanisms currently outlined in The Hospital Standards Act.

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

**Hon. Mr. Wiens:** — With leave, to introduce guests.

Leave granted.

### INTRODUCTION OF GUESTS

**Hon. Mr. Wiens:** — Mr. Speaker, it gives me great pleasure to introduce a former MLA from my constituency and a government leader in the '70s and a continuing contributor to the Saskatchewan community, Mr. Elwood Cowley. Welcome.

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

### SECOND READINGS

#### Bill No. 76 (continued)

**Mr. Osika:** — Thank you, Mr. Speaker. Should I start from the beginning again?

Mr. Speaker, another new section in this particular Bill will allow the Lieutenant Governor to appoint a public administrator to replace a district health board and to manage the affairs of an affiliate in certain circumstances. We will most definitely want these certain circumstances clarified before this Bill is passed.

Mr. Speaker, because this government formed the Lloyd Health District and District Health Board, The Lloydminster Hospital Act can now be repealed. We would like to take a greater amount of time to see what implications this will have on the people in that area. With this Bill as well, The Union Hospital Act will also be repealed now that all union hospital districts and boards are dissolved.

But I have just started to touch on some of the points outlined in what is a very complex and a very important Bill, and we recognize that. This is a Bill we are not willing to pass without careful consideration and extensive input from outside parties.

The changes this Bill makes are too important to just merely gloss over, Mr. Speaker. They will not only affect health care workers — the changes in that Bill — throughout the province; they will also affect the level of health care every person in Saskatchewan receives. Therefore, Mr. Speaker, I move that debate on Bill 76, The Health Districts Amendment Act, be adjourned.

Debate adjourned.

#### Bill No. 77 — An Act to amend The Saskatchewan Medical Care Insurance Act

**Hon. Mr. Cline:** — Thank you, Mr. Speaker. I rise today to move second reading of The Saskatchewan Medical Care Insurance Amendment Act, 1996.

This Bill is intended to fulfil a commitment made by this government when we signed the framework agreement between ourselves, the Saskatchewan Medical Association, and the Saskatchewan Association of Health Organizations in April 1995. In particular, we are fulfilling our commitment to introduce legislation that ensures all physicians who provide clinical payment services in Saskatchewan pay dues to the SMA (Saskatchewan Medical Association).

Mr. Speaker, through its many activities, the Saskatchewan Medical Association provides benefits to all physicians of Saskatchewan. This Bill gives proper recognition to that fact.

In 1986 a legislative amendment was made to The Saskatchewan Medical Care Insurance Act which gave initial attention to this matter. Prior to the 1986 amendment, only those physicians who belonged to the SMA were required to pay dues to the organization, yet all physicians receive benefits from many of the SMA's activities. In order to address this discrepancy the 1986 amendment was made to provide for a system of mandatory dues, check-offs, for all fee-for-service physicians who did not voluntarily join the SMA.

While membership in the SMA was not made mandatory, the legislation requires Saskatchewan Health to deduct SMA membership dues from payments to physicians who are not SMA members, and to submit this amount to the organization.

The Bill before us today, Mr. Speaker, simply extends this provision to non-fee-for-service physicians providing clinical services. This not only extends proper recognition of the SMA's activities on behalf of all physicians, it also recognizes the ongoing shift to alternative methods of payment in Saskatchewan, such as capitation and salary.

Mr. Speaker, I should also mention that as part of the framework agreement, the SMA was required to hold a referendum of all non-fee-for-service physicians on this matter. That referendum was indeed held in December of 1995. In this referendum, 70 per cent of the ballots cast were in favour of mandatory dues check-off. This provides a clear indication of support for this initiative among those who will be affected.

Mr. Speaker, I hereby move second reading of The Saskatchewan Medical Care Insurance Amendment Act, 1996.

(1500)

**Ms. Draude:** — Thank you, Mr. Speaker. I would like to take a few moments today to discuss the amendments indicated by the Minister of Health to The Saskatchewan Medical Care Insurance Amendment Act, 1996.

Due to the fact that this Bill deals with the very important issue

of health care and the health care system in our province, I feel that a considerable amount of time should be spent in analysing the changes that are proposed to this Bill, as well as the potential outcome of these changes.

This Bill deals directly with the form of remuneration of physicians who practise in our province receive. Our physicians are an extremely valuable commodity. Most of them graduate from our own University of Saskatchewan which offers a top-notch medical school. We are currently watching these recent graduates flock out of the province and out of our country to practise their trade. This Bill, as it suggests the movement towards capitation as a form of payment, will drastically affect all physicians who practise medicine in Saskatchewan.

The current Saskatchewan medical insurance Act deals with the responsibility of the minister in establishing and administering a medical insurance plan to the people of this province.

This Act deals in considerable detail with the powers of the Lieutenant Governor in Council to make regulations. The section in question in the Bill before us today, also deals with the Lieutenant Governor's power to make regulations regarding payments from the minister to the physician with respect to insured services provided by that physician.

The current legislation requires Saskatchewan Health to deduct a percentage of the amount of the normal Saskatchewan Medical Association membership dues from the payment to the physicians who are not members, and to submit this amount to the Saskatchewan Medical Association. This is done in order to recognize and to pay for the benefits that these physicians receive from the SMA even though they are not members.

The entire section dealing with the Lieutenant Governor's power to make these regulations is repealed by this Bill and is replaced by another section that also deals with regulations with respect to payments.

The reasoning behind this minor change to The Saskatchewan Medical Care Insurance Act is due to the 1986 amendment to the same Act that provided for a system of mandatory check-offs for all fee-for-service physicians who did not join the Saskatchewan Medical Association on a voluntary basis.

Even though membership to this association is not mandatory, legislation requires that Saskatchewan Health deduct a percentage of the amount of the membership fee to the medical association from payments to physicians who are not members.

This amendment also extends the dues to non-fee-for-service physicians that provide clinical and direct patient services. This has been done in order to recognize the faint possibility of an increasing number of alternate methods of payments to physicians, such as capitation and salary.

In reading this Bill and the explanations that were provided, many questions came to mind. The first question that arose was why physicians are not required to be members of the Saskatchewan Medical Association if they have to pay

membership fees — although indirectly — anyway. In my mind, if you're going to deduct the fees indirectly from their remuneration, why not simplify the system by making membership and payment of membership dues mandatory?

The entire premiss of a physician practising in Saskatchewan without being a member of the SMA is a bit ludicrous, due to the simple fact that the individual could not get insurance if that person is not a member of the association.

The next question, or could be concern, that comes to my mind is the actual need for this change. It is my understanding that there is an extremely limited number of physicians practising in Saskatchewan who are not part of the Saskatchewan Medical Association for the simple reason that one cannot get insurance if that person is not a member. It also is my understanding that there are literally no physicians being paid by capitation in Saskatchewan currently.

This brings me to the point that there really is no reason for this amendment at all. There is a limited number of non-fee-for-service physicians who practise at community clinics and who are paid on a salary basis, but that hardly calls for the tabling of a new Bill.

We have consulted with physicians who are currently practising medicine in Saskatchewan and the main concern that came out of our discussions were the fear that Saskatchewan may move to a system of capitation or rostering when it comes to paying physicians for their services in this province.

The system of capitation, or rostering, as it referred to most often in the United States, is a system in which doctors are paid a flat fee to look after the health of a designated number of patients. It is an insurance-like system in which physicians are paid a fixed monthly fee per patient regardless of the number of times they see that person in any given month.

Many states in the United States where capitation is used have found they need a much lower number of specialists to serve the needs of the people that live there. It is a well-known fact that Saskatchewan certainly does not have a problem with a saturated market for specialists. In fact with the closure of the Plains hospital, many people feel that it will become increasingly difficult to attract specialists to this province.

Since it is not the over-saturation of specialists in Saskatchewan that is the reason for the consideration of capitation, it must be the fact that capitation is by far the most powerful cost-saving instrument available to governments today.

The possible implementation of capitation in Saskatchewan will undoubtedly cause even more of our physicians to go elsewhere to practise, as it is strongly opposed to by physicians, the Canadian Medical Association, and by many provincial medical associations.

It looks to me as though the Department of Health is looking at every possible option for saving money. The problem with capitation, though, is that in order for it to work, hospitals, family doctors, and specialists will have to come under the



direction of a single authority. This will obviously not be acceptable to the newly formed and supposedly autonomous district health boards.

In a province that already has a considerable amount of trouble in keeping our physicians, the implementation of rostering, or the threat thereof, may be enough to encourage the few who do remain here to practise to follow the rest of their classmates down south. There is a reason why no province in Canada has successfully approached the idea of capitation. The main reason is that . . . being population-based funding is just not the way health care in Canada was meant to be. Even though the faintest suggestion of capitation comes from a government that is adamantly opposed to a two-tier health care system and that desperately wants to see the current system of health care thrive, it is treading on dangerous waters.

Due to the suggestions that have been hinted at through this Bill, I feel that it is necessary to look into the causes and the effects of the proposed changes a lot more carefully. We would like to consult further with physicians who will be affected by this Bill, and therefore I move that the debate on this Bill be adjourned. Thank you.

Debate adjourned.

#### **Bill No. 82 — An Act respecting Health Facilities**

**Hon. Mr. Cline:** — Thank you, Mr. Speaker. I rise again today to move second reading of The Health Facilities Licensing Act, an Act which speaks to the very heart of this government's commitment to universal medicare in Saskatchewan.

Mr. Speaker, this government believes in a publicly administered, single-payer health system. We reject totally the two-tier approach to health care. We believe that access to health services must be based on need, not the ability to pay, and that health services are not just for the wealthy. They must be for anyone who needs them.

Mr. Speaker, the publicly administered, single-payer health system reflects, as it always has, our values of cooperation, compassion, and community. When someone is ill in our community, we come together to help that person. We don't care how much money they earn or about any other part of their background. We have a sense of responsibility to each other, and we want shared dignity, the dignity of good health, and proper care if we become ill.

A two-tier health system runs contrary to those values. It creates one system of health services for those who can afford it, and another for those who can't. Some make the argument that if we just start allowing a few medically necessary services to be offered on the open market, universal health services will remain unaffected in Canada. That is the position of the opposition. That's a flawed argument.

Once you allow medically necessary services outside the single-payer system, a universal health system simply no longer exists. The process is simple — those that can afford the extra cost of private services begin to opt for private schemes.

Service providers drop out of a publicly funded system to operate in private settings. I might add that they do so in the areas that are easy and profitable for them, not in the difficult cases, Mr. Speaker, where people are chronically ill and in need of care.

Those with money can access health services faster in the private setting and those without money have to wait longer in the public system. Access to some essential services through the public system would then be diminished or even lost. And as the wealthy use the private system more and more, their support for putting tax dollars into the public system would decline.

Mr. Speaker, we are also opposed to the two-tier health care model because it would only add to the overall costs of the health system. One only has to look at the two-tiered American system to prove this point. Before our entire country adopted medicare in 1971, Canada and the United States spent roughly the same percentage of GDP (gross domestic product) on health. Since 1971 Canadians have consistently spent less. In 1994 the U.S. (United States) spent 14.3 per cent of its gross domestic product on health compared to 9.7 per cent in Canada. Today the U.S. spends twice as much per capita on health, through taxes and private payments.

Why is there such a difference? Because the single-payer system is more efficient. There is only one payer, not several private payers requiring extensive administrations. In the United States, 14 per cent of health dollars go to administration compared to less than 1 per cent in Canada. And on health outcomes, the single-payer system is better. For example, when compared to Americans, Canadians live longer and our infant mortality rate is lower.

Mr. Speaker, I've been corresponding with a retired physician in the United States named Dr. Gowin, and he wrote me recently and he said that he had been corresponding with a number of Canadians about our health care system. And after saying that people who write him say that they are satisfied with the medicare system as compared to the American system, he says:

There is considerable indication from the letters received that Canadians are concerned about possible inroads being made to privatize some aspects of medicare, thereby producing a two-tiered system. It would be a calamity (he says) if your medicare were to be gutted.

Because you know what they're trying to do, Mr. Speaker? They are trying to develop the system that was pioneered in this province and that we have and enjoy in this province.

I want to say also, Mr. Speaker, that in the United States 35 million people have no health care insurance; 100,000 people join the ranks of the uninsured each and every month. I want to say also that health care costs in the United States continue to be the leading cause of personal bankruptcy. Mr. Speaker, that does not occur in Canada.

And what we hear of course in the legislature — and it's the job

of the opposition day after day to complain about the health care system we have and to pretend that they had something to do with bringing it about, even though they opposed it every step of the way. But you know, Mr. Speaker, 90 per cent of the people who use the public medicare system are very satisfied with it because it's a good system. We have a wonderful health care system; we have an excellent health care system.

Are there problems with it? Yes, there are occasionally problems with it. There are problems with any system. There were problems before health reform; there will continue to be problems. But we have a system that is the envy of the world and we should never forget it and we should never take it for granted, Mr. Speaker.

(1515)

Another advantage of the single-payer system, Mr. Speaker, is that each provincial government has the scope to make tangible policy decisions across many areas of the health sector. Private insurance companies in the United States just don't have this ability. And this is important, because in Saskatchewan the publicly administered, single-payer health system was not created just to provide better access to health services. It was created to promote better health.

For these reasons, we are introducing the Bill before us today. In the future, it may be the case that private facilities will come to Saskatchewan wishing to provide medically necessary hospital or physician services, insured services that are currently covered by our public system. This legislation will give the government the authority to ensure that any such facility will have to operate totally within Saskatchewan's publicly funded, single-payer medicare system.

Any persons who wish to operate a private facility of this type will be required to apply for a licence. No such facility will be permitted without one. And these licensees will be prohibited from charging a facility fee for any publicly insured health service provided in the health facility.

As well, Mr. Speaker, this Bill will provide the basis for supplying uniform quality standards. Any licence application will be reviewed by an accreditation program operator to ensure that the standards of the accreditation program will be met. Of course, alongside these elements are provisions for inspecting these facilities and fines for a person who contravenes the Act.

Mr. Speaker, it is important to note that there are presently no private health facilities providing publicly insured hospital or physician health services in Saskatchewan. Therefore the Act will not impact on physician offices currently in existence; they will not be required to be licensed.

Only those facilities defined in the legislation will require licensing, and it will generally include only those non-hospital facilities where the insured services to be provided are normally provided within a hospital, and new insured services which can be provided outside a hospital. For example, a private facility providing computerized tomography scans, CT scans, or MRI (magnetic resonance imaging) would be required to be licensed.

Once again, Mr. Speaker, this Bill is intended to maintain our publicly administered, single-payer medicare system. If private facilities come to Saskatchewan in the future wishing to provide medically necessary hospital or physician services, they will be compelled to operate within the publicly funded system.

Before closing, Mr. Speaker, I want to say something to the Leader of the Opposition who was talking about the late Premier Douglas and what Premier Douglas would say about the record of this government in health care. I want to tell the Leader of the Opposition and the other members of the opposition that before she died, Mrs. Irma Douglas wrote to the Premier of this province asking that the Liberals and Conservatives please stop using her late husband's name in support of their arguments. She said that it was disrespectful to Mr. Douglas to use his name when he spent his entire life fighting those parties and what they stood for, which included very much, Mr. Speaker, fighting their opposition to public medicare in this province, which they now claim to be the champions of.

Mr. Speaker, Mr. Douglas fought against those parties and their values his entire life. Mrs. Douglas asked the Premier and asked the opposition parties to stop saying that Mr. Douglas would be opposed to what this government is doing and in favour of their values. And I ask the opposition parties and the Leader of the Opposition to respect Mrs. Douglas's wishes in that regard.

I know that this party is carrying on the work and the traditions of the late Mr. Douglas and Mrs. Douglas, and I'm proud, Mr. Speaker, to stand in this House and say so.

As our counterparts intended in 1962, access to health services in Saskatchewan will continue to be based on need, not the ability to pay. And health services will not be reserved for the wealthy; they will remain for everyone who needs them.

Mr. Speaker, I am proud to hereby move second reading of The Health Facilities Licensing Act.

**Mr. Aldridge:** — Thank you, Mr. Speaker. I'd like to take some time this afternoon to discuss the Bill before us today. The Health Facilities Licensing Act is a new piece of legislation that will have a drastic impact on private health facilities that may open in this province in the near future. The Premier himself has stated that this Bill is serving no immediate need and this of itself causes us to have some concern. We can be sure that with the implementation of this Bill there will be no private health facilities opening up in this province any time soon. There will be no new facilities to provide jobs for our nurses and health care professionals, nor will there be any new facilities to serve our ageing population.

This Bill might not impact upon physicians or facilities that are currently providing insured health services in Saskatchewan, but I do believe that this Bill will have a large impact on new nursing and medical technology graduates that will be forced to leave Saskatchewan in order to find employment.

Mr. Speaker, if the purpose of this Bill is to attempt to prevent a two-tiered health care system, I'm afraid it's too late for that.

Due to the increasingly long waiting-lists for elective surgeries in Saskatchewan, people are simply going to Alberta or to the United States to have the surgery done when they want and need it to be done. It's naïve to think that by taking away the incentive for private facilities to open up in Saskatchewan that people won't go elsewhere to get the type of health care that they require.

This Bill gives the minister ultimate control over the health care system in Saskatchewan. The minister is responsible for supplying licences to these new facilities. The minister will also have the ultimate power to refuse to issue licences or refuse to renew them. The minister would be responsible for the appointment of an inspector that would ensure that facilities are abiding by the rules and regulations set out in the Bill.

But, Mr. Speaker, this Bill has to be referring to a different minister of Health. It seems odd because the current minister always wants . . . Why would the current minister want that kind of control? Because he's always trying to duck out on responsibility for the failing health care system in our province today. So I can't imagine that this current minister would want that resting on his shoulders.

Mr. Speaker, apprehension over this Bill is growing. The Bill targets all of the wrong people. It targets Catholic hospitals and private practitioners and facilities. There are valid concerns that, if the minister decides a facility is no longer needed in a district, the minister could revoke that facility's licence. Mr. Speaker, I believe that the spirit and intent of this Bill are somewhat misguided. The minister is allowed unconditional power when dealing with private facilities, facilities that would be operating in health districts that should really fall under the authority of the supposedly autonomous health district boards.

The Department of Health and these private facilities are supposed to enter into mutually acceptable agreements before the facilities are open to the public. Why then should it be necessary that the minister, who is head of the Department of Health, be able to instruct an inspector to search and seize property of a private facility? Why should only one member of a service relationship be able to search and seize a property of another member of the same agreement? It doesn't make sense.

This government just cannot decide what it wants to do. Supposedly it turns over all of the decision-making power to the district boards so that it doesn't have to be accountable for all the problems that are plaguing our health care system. Yet it still wants ultimate control over private facilities that may open here in order to meet the demand of our ageing population.

Mr. Speaker, there are so many question with regards to this Bill that do demand answers. Since the Bill was first tabled, there has been a good deal of public concern expressed as to what the Bill really means for the people of this province. In short, the Bill means that there will not be any private health care in this province as long as the NDP government is in power. It means that elective surgery waiting-lists will continue to grow. It means that more and more people will continue to leave the province to get better access to elective health care services.

The Bill also targets doctors that perform MRIs and orthopedic surgeries. And that should be of concern to the government opposite, a government which so often forgets that there is a province beyond the boundaries of the city of Regina. But the fact that Regina doesn't have an MRI at this time — and with the implementation of this Bill never will — will come back to haunt this NDP government.

This Bill ensures people can only receive health care at a level set by the NDP government, a level that many feel is unacceptable in the year 1996. This government is doing this at a time when more and more people are asking why they choose to irrationally ration health care in our province. They ask if this government is not prepared to adequately fund the public health system, then why don't they ease the pressure on our public system, allowing it to be more responsive to those who are truly in need.

In conclusion, Mr. Speaker, more people need to be consulted and more in-depth research into the actual demand for these changes needs to be done. Due to the controversial nature of the changes proposed in this Bill, I move that the debate on this Bill be adjourned. Thank you.

Debate adjourned.

## COMMITTEE OF THE WHOLE

### Bill No. 73 — An Act to amend The Planning and Development Act

**The Chair:** — I would ask the minister to introduce her officials, please.

**Hon. Mrs. Teichrob:** — Thank you, Mr. Chairman. I'd like to introduce on my right Ron Davis, the ADM (acting deputy minister) of the Department of Municipal Government; and behind me is Paul Rath, the director of the municipal development branch.

#### Clause 1

(1530)

**Mr. Bjornerud:** — Thank you, Mr. Chairman. I'd like to welcome the minister's officials here today. And I would maybe mention at this time that I have three amendments that I will pass across shortly.

The first question, Madam Minister, that I'd like to touch on is clause 4. And what was the necessity of repealing section 48(2)? Presently the minister is required to have her decisions published in the *Saskatchewan Gazette*.

**Hon. Mrs. Teichrob:** — Mr. Chairman, the reason for the change there is simply to streamline the process. The intent to amend always has to be advertised in a newspaper that circulates in the relative area, and so publishing it . . . advertising in the *Gazette* after that is simply an additional expense, an additional administration that is deemed to be unnecessary. So this is just meant to streamline the process.

**Mr. Bjornerud:** — Thank you, Madam Minister. Then if that's not done, how does the affected municipality learn of them? Just minister's decisions? Like how will they find out?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I'd just like to have some clarification of the question. Does the member opposite mean how does the council find out, or how do the ratepayers in the area find out? To which group does he refer?

**Mr. Bjornerud:** — Actually, Madam Minister, I believe . . . I'm curious about both. Both the municipalities but also . . . That was my next question. How does the public find out? If this is not published, how is there a way of finding out now?

**Hon. Mrs. Teichrob:** — Well, Mr. Chairman, the notice of intent to amend is advertised, must be advertised, in a newspaper that circulates in the area. And that's how the public would find out, outside of perhaps attendance at meetings or, you know, that sort of thing. But there is that requirement to advertise locally.

Then in terms of how the council gets information about the by-law is that when it's approved, a signed copy is returned to the municipality. So then they know, by that, the by-law has been approved.

**Mr. Bjornerud:** — Thank you, Madam Minister. Okay. Surrounding newspapers would have that in and I realize that, but then how will the other RMs or other municipalities in the area be able to keep up to date with some of the decisions that are being made? Will they be let know what has happened; what decision has been made here?

**Hon. Mrs. Teichrob:** — Well, Mr. Chairman, the intent of advertising in the newspaper is that it would be expected to be a publication that is the prominent newspaper in the area. And in terms of the details being transmitted to other municipalities, other municipalities wouldn't be affected by a by-law that is passed in a neighbouring municipality.

**Mr. Bjornerud:** — Clause 5, Madam Minister, repeals section 55.1 — a reworded section — the definition of "capital cost" is changed. What was the purpose of this change?

**Hon. Mrs. Teichrob:** — Mr. Chairman, this provision is being made in the legislation at the request of the large urban municipalities. Wherein, according to the wording of the existing statute, it could have a legal interpretation that levies within a subdivision would be confined to that subdivision.

And in a large city what they wanted to do is to be able to spread the costs of capital costs, you know, through their general budget and not be area specific. So it was as a result of a legal interpretation within the large urban centres that that request came forward.

**Ms. Julé:** — Thank you, Mr. Chairman. I would like to ask, Madam Minister, in reference to section 60, does the minister have power to overturn decisions made by municipalities?

**Hon. Mrs. Teichrob:** — Mr. Chairman, the existing provision

provides that a municipality shall publish notice of the minister's decision or approval after the approval. And it's felt that because there's already the requirement to publish the intent, that publishing the approval after the fact is a duplication and additional administration and expense. So that's why that section 60 is being repealed. The reason I couldn't find it is because it's being repealed and it's not there.

**Ms. Julé:** — Thank you, Madam Minister. Madam Minister, I guess irrespective of the publication issue, I just need some clarification I guess, overall, on whether or not you as the minister have power to overturn decisions made by municipalities. Amen.

**Hon. Mrs. Teichrob:** — Well the answer to that would be, generally no. As long as . . . well it doesn't matter what the provision is, but particularly in the planning and development of The Planning and Development Act and zoning and subdivisions, if the municipality has followed all of its own by-laws and used all of the proper procedures, or in the absence of a zoning by-law, for instance for a rural municipality, as long as they have followed the provincial guidelines for, oh say for example, separation distances from other developments and that kind of thing, as long as they have used proper procedures and adhered to either their local zoning by-law or the provincial guidelines and framework, then the minister does not have power and indeed wouldn't want power to overturn decisions of duly elected officials at the local level.

**Ms. Julé:** — Thank you, Madam Minister. Is there any instance at all that the minister could overturn a decision or a by-law made by the municipality? Any instance whatsoever?

**Hon. Mrs. Teichrob:** — Mr. Chairman, just trying to think of some concrete examples. Normally there is no way that the provincial minister would want to interfere with the decision making at the local level. But when I said as long as a municipality adheres to, in the absence of their own zoning by-law, provincial guidelines . . . like some examples would be if a subdivision or a development was approved on a flood plain, for example, in a fly-way to an airport, or a situation like that where the public interest was clearly being jeopardized, then there would be the power to review and to not approve the subdivision plan or whatever the case would be.

**Ms. Julé:** — Thank you, Madam Minister. Madam Minister, I'd like to make a specific reference if I may. In the case of hog barns being constructed and distances from hog barns being regulated as such, there are provincial regulations I believe that are set out, and actually I understand that these things have to comply with provincial regulations.

Now I'm just wondering whether municipal by-laws can be enacted that have to be adhered to. Which has more precedence here? Is it the provincial regulations or the municipal by-laws?

**Hon. Mrs. Teichrob:** — Mr. Chairman, in the example that the hon. member refers to, intensive livestock operations, it falls under both.

And some . . . Well this would obviously be a rural

municipality. You have . . . Most municipalities, or many, have their own zoning by-laws. And in the case of an intensive livestock operation, there are provincial regulations and an Act specifically regulating those, which require permission of adjacent landowners, environmental impact statements to be made, and a very strict set of guidelines actually and procedures that must be followed before an application can be made. And after that assessment has been made, then the municipality is asked to approve it based on that research that's been done.

And again, as long as all of the . . . whatever provincial guidelines apply have been adhered to and all of the procedures required have been carried out with diligence and documented and as long as the municipality has followed its own by-laws, then there is no place for ministerial or government interference in the local process.

**Ms. Julé:** — Thank you, Madam Minister. In the instance where in fact there may be some opposition to hog barns being constructed and so that municipality may end up making more stringent by-laws yet than in fact has been set out by provincial regulations and provincial guidelines, how then would a decision be made on who has the authority here? Or what may be done — would the minister then be called upon to determine what would happen in this case?

**Hon. Mrs. Teichrob:** — Mr. Chairman, it certainly is possible for a municipality to make a by-law that would have the effect of being more stringent than the provincial guidelines. And as long as the municipality used the proper procedures to enact those by-laws, yes, then they would have precedence.

And there are . . . I'm aware of some cases, for instance, where ratepayers in a municipality have used the provision in their rural municipal Act which permits ratepayers to call a public meeting by petition where views can be expressed and motions can be passed. These would then be conveyed to the council, but the results of votes at those meetings are not binding on council, and the vote of the council, the majority vote of the council, at the end of the day in some of these controversial situations is what stands.

(1545)

What really amazes about intensive livestock operations is that, you know, if we can put men on the moon, we can do all these marvellous things, and I guess because it's not glamorous, we haven't found a way to make manure not smell. And if only we could do that, we could solve a lot of these conflicts.

I know there are other issues as well, and the environmental studies take these into account, like effect on the water table, of waste management and issues like that. But I think if only we could get some of our best and brightest minds to work on how to make manure lagoons smell like saskatoon pie or something, we'd all be better off.

**Ms. Julé:** — Thank you, Madam Minister. Madam Minister, I don't want to press you on this, I'm just trying to, I guess, like you, find some resolve to some situations that are at hand. And I'm just wondering if there, for instance, is a situation like this,

is where there is very little resolve and there's ongoing conflict even at the municipality level. Would the minister have the authority to come in and make a decision?

**Hon. Mrs. Teichrob:** — Mr. Chairman, the answer to that is no. And I think I have spoken to ratepayers who are in that situation and where they say . . . you know, particularly when people are opposed, they say, well surely there's something that the government can do. And you know, my response is that, look, if your locally-elected council was doing something that you wanted them to do, and the government interfered and said, you can't do that . . . You know, you put the shoe on the other foot.

And so I think the answer comes down to that. I mean, there is respect for the local voter who elects the local council. And while there may be controversy . . . and of course decisions aren't always unanimous, but the majority view of the council at the end of the day needs to be respected.

**Ms. Julé:** — Thank you, Madam Minister. In section 142(1), this section, in view of what we have just discussed, remains quite vague for me then. And we need some clarification because . . . I'll wait until you get to that point, section 142(1).

It says if a development has complied with conditions and regulations for development by environmental management and protection agency and Sask Water Corp, then granting of a permit by an approving authority should be automatic by the province, regardless of municipal by-laws which do not comply with provincial regulations.

So if that is the case, and if those conditions are complied with, as stated here, then it would seem to me that developers would have the authority to go ahead, as long as they comply with these conditions, irregardless of maybe by-laws that come in after the fact that are stringent and maybe while the development is taking place. So I'm just wanting you to comment on that please.

**Hon. Mrs. Teichrob:** — Mr. Chairman, I'm sorry. This is part of the existing statute, as the member will know, which is not being amended. And so I had to search for it because I don't have the existing statute; I just have the amendments. And this section 142(1) relates simply to subdivisions and not to other developments, like intensive livestock developments.

This relates entirely to subdivisions where, as we spoke earlier, where there may be a subdivision approval requested in a hazardous area, in an area that, for whatever reason, is not deemed to be in the public interest. But it goes to subdivisions only and not other kinds of development.

**Ms. Draude:** — Thank you, Mr. Chairman. Madam Minister and officials, I have a couple of questions for you in the same vein. I'm wondering the process and the steps of receiving approval for requirements to set up an intensive livestock operation . . . is it provincial steps that have to be adhered to first and then the local by-laws or vice-versa?

**Hon. Mrs. Teichrob:** — Mr. Chairman, the process is really in

two stages. Usually what happens is that the proponent of a development will find out from the Department of Agriculture what obligations they have to do in terms of undertaking environmental studies and determining exactly what separation distances are and what kind of parameters are around the proposal that they want to make.

Then usually what they do is they select the area that they propose to put this development in. They talk to neighbours. Sometimes they hold open houses. They try to get support for their project. And they might approach, usually do approach the council for an approval in principle for the type of development that they propose because obviously if they don't get approval in principle, it would send them a signal that there may be opposition to the proposal. And they wouldn't want to invest the money in the studies because some of the environmental studies and other steps that they have to undertake to meet the requirements of the Department of Agriculture for the intensive livestock permit are quite onerous in terms of financial responsibility and time.

So usually they go for the approval in principle. If they get that, they take that as at least a signal of some support, and then they go ahead and spend the money on the other studies that need to be done in order to satisfy the requirements for the intensive livestock permit. Then having satisfied the issue . . . or the eventual or potential issues of the permit, that they've met all that. They would then go back to the municipality and ask for the resolutions for the approval of the final development plan. And I think in — we're sort of going around the edges here — but I think in the case that we're probably all referring to that's the stage that it's at right now.

The final approval, the final resolutions are yet to be made. In fact, I understand that the formal application has yet to be made to the Department of Agriculture for the permit even.

**Ms. Draude:** — Thank you again, Madam Minister. I have another question, and you said that the approval of the adjacent landowners had to be received before they could get this permit. Can you tell me is it the approval of all of the adjacent landowners or a percentage of them? And how close do you mean by adjacent?

**Hon. Mrs. Teichrob:** — Mr. Chairman, it depends on the size of the operation. What radius they would have to have approval for. And those . . . I'm not familiar exactly with the scale, but I know I've gone through this process a couple of times myself and having to go and get written consent from neighbours and written consent from . . . If for instance, you plan to spread waste from the operation in some more distant place, you would have to get permission from the people that surround that. Or if you plan to spread the waste on other people's land, you'd have to demonstrate that you had their written consent and so forth.

So those regulations are contained in the . . . I forget the name of it now. It used to be called The Pollution (By Livestock) Control Act, and I think it has a new name or different name than that now. But those are provincial guidelines contained in a statute that is under the jurisdiction of the Minister of Agriculture. And they're quite explicit, and the information on

those requirements is readily available to prospective developers.

**Ms. Draude:** — Thank you again. I don't know if you answered the question for me. Do you have to have consent from 100 per cent of the landowners within the designated area?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I wouldn't want to comment too specifically on it because it's not legislation that's in our jurisdiction. But to my knowledge in the past, if you had an adjacent landowner who objected or refused to grant permission, that would certainly be given very serious consideration by the issuers of the permit.

I can recall having to get permission from about eight different agencies, like nearby communities, the water corporation, because it was a certain distance from the river, and I don't think they left any stone unturned. And all of that information . . . I suppose, you know, one negative in the whole package might not be enough to overturn the whole thing, but certainly the people who are issuing the permit in the Department of Agriculture would take all of those factors carefully into account before issuing a permit.

**Mr. Bjornerud:** — Thank you, Mr. Chairman. Madam Minister, I'd just like to comment on a couple of comments you made a few minutes ago, and I know the members opposite will find this odd, but I agree 100 per cent with you. When you had mentioned here before that the local council should be the people that make these decisions . . . and I realize, having been one. And I realize that also, I think, your experiences with an RM is coming through, and I'm appreciative of that.

But I would say that these decisions should be made at that level because they're more in touch than the minister probably could be. I'm not saying that in this case, Madam Minister. But in some cases, most councils out there would be much more in touch with these problems.

I would like to touch on one other thing you said, that if someone could come up with something to do away with the odours from these extensive livestock things. I can also vouch for that one again. I agree with you, and I know this is really hard, but I have a hog barn a half a mile from my place, and if somebody could come up with something I would make them . . . myself be rich. So we agree on a couple of things.

Madam Minister, I'd like to touch on section 57 that has been repealed. And my question is, is how would this change the council's capital works planning? Like, what effect would it have on that?

**Hon. Mrs. Teichrob:** — Mr. Chairman, the hon. member will recall in his experience that there was a requirement to send in a capital plan to the department on a regular basis. And that's still required under the urban Act but it's no longer a requirement under the rural Act. It was felt to be redundant.

**Mr. Bjornerud:** — Then I guess the follow-up to that would be, will it help the council then become more efficient or

budget better? Will there be effect on that at all or not?

(1600)

**Hon. Mrs. Teichrob:** — Mr. Chairman, I guess there's still a requirement for them to prepare it, but they don't have to send it in. It used to be a five-year plan, if you remember, and there's a lot of guesswork in it when you get to four or five years out. And we always go through the exercise. And as you know, nobody plans on a one-year horizon, but it was felt redundant to have to submit it to the department for approval.

**Mr. Bjornerud:** — Thank you, Madam Minister. Clause 9 deals with section 96, the right to appeal a zoning by-law. Could you explain the reasons for the changes in subsection (3), particularly clause (b), Madam Minister?

**Hon. Mrs. Teichrob:** — Mr. Chairman, this is a consequential . . . What we have done is we have changed or made stronger the enforcement provisions. And so then as a consequence of that, we need to set up an appeal mechanism for those enforcement decisions. And that's what this section is designed to do.

**Mr. Bjornerud:** — Thank you, Madam Minister. Clause 10, there are a fair number of changes under section 134. Could you give me an explanation of the purpose of the changes more fully, so we fully understand what you're doing here.

**Hon. Mrs. Teichrob:** — Okay. This is intended to make subdivisions or plans that affect a parcel of land that's intended for use as a highway, road, a right of way, irrigation canal, pipeline, utility lines, and so forth.

The registrar will receive a copy of the certificate approval of the approving authority, and the chief surveyor will receive the plan of survey for registration under The Land Titles Act. It's intended to make the relationship and the work that the Land Titles Office and the master of titles has to do less onerous on the rural municipality. And it reduces the need for subdivision for minor pipelines and utility distribution. I think that's really the gist of it, Mr. Chairman.

**Mr. Bjornerud:** — Thank you, Madam Minister. Just one thing further than to clause 10 is, are the restrictions placed on the chief surveyor under subsection (12)(b)? Was this done for safety reasons?

**Hon. Mrs. Teichrob:** — Mr. Chairman, this was to reduce the need or do away with the need for a subdivision for minor pipelines and to streamline the process for distribution lines that are a certain distance away. I think it's two — two and a half kilometres? — two and a half kilometres away from an urban centre. And it's designed to streamline the process for easements agreements for right of ways for sewer, water, natural gas, power, telephone, cable TV — that kind of minor utility. It reduces the need for a subdivision plan from a rural municipality for those purposes. This does not apply, obviously, to major transmission lines.

**Ms. Draude:** — Thank you, Mr. Deputy Chairman. Madam

Minister, subsection (12)(b) is a new section restricting the chief surveyor's right to approve a request that's within 2.5 kilometres of a group of occupied buildings. How did they come up with this 2.5 kilometres?

**Hon. Mrs. Teichrob:** — Mr. Chairman, the 2.5 was in the previous Act, and it's just kind of historical, I guess. And there was no need seen to change that. And this is designed to streamline the process and allow the application to go straight to the chief surveyor.

**Mr. Bjornerud:** — Thank you, Mr. Chairman. Clause 12, section 141 has been repealed and replaced with a new five-part section dealing with a certificate of approval. How do the changes benefit either the occupant of the land or the municipality, Madam Minister?

**Hon. Mrs. Teichrob:** — Mr. Chairman, this is something that has been requested again by the major cities. And it seems to be quite complex, but it's actually — believe it or not — designed to make things easier.

For instance if there is an application for a utility easement or a temporary lease, that kind of thing, and it's been applied for and it's been approved, and then maybe the zoning by-law changes. This would relate mostly to newly developed areas in a large urban centre. Then if the zoning by-law changes, the certificates of approval do not have to be reapplied for.

So it doesn't affect anyone else really, except the complex subdivision and utility situations in major urban centres. I'd say this wouldn't have any impact whatsoever, for example, on a rural municipality.

**Mr. Bjornerud:** — Thank you, Madam Minister. We'll have to take your word for it that it made it simpler.

Clause 13, in the amendment to section 143 you've been very explicit as to what a municipality is to do with service agreements. What was the motivation behind this, and what was the reason for it?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I think basically a lot of these provisions are for clarification and to clarify particularly that levies paid are for capital costs that are consistent with the definition of capital cost for development levies. So there's some clarification meant there. And also it clarifies the intent that monies collected under a servicing agreement shall be held separate from other municipal funds. And this too has been requested by the major cities.

There are some other provisions. For instance there was a change made in 1993 to provide direction on the use of payments and accrued interest received in a servicing agreement.

So really they are clarifications and remedies to some previous changes, and nothing really dramatic — just clarification and housekeeping.

**Mr. Bjornerud:** — Thank you, Madam Minister. Could you

maybe just clarify what some of these service agreements may be, or some examples thereof.

**Hon. Mrs. Teichrob:** — Mr. Chairman, they might be, depending on the nature of the subdivision, they might be the provision of roads, sidewalks, recreational facilities. It would not be anything to do with the operations of a municipality like garbage pick-up or snowploughing or anything like that. It would relate to costs incurred in a development and in the servicing of a development.

**Mr. Bjornerud:** — Thank you, Madam Minister. The reason for this . . . has there been some difficulties in this area? Is there examples of difficulties that have forced this amendment to be brought forth?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I understand that some of these clarifications were asked for specifically by the city of Regina. So they must have been prompted by some difficulties that they were having, and I guess particularly with respect to the moneys collected pursuant to a servicing agreement being held in a separate fund and then what happens to any the interest that might accrue to that fund.

**Ms. Draude:** — Thank you again, Mr. Deputy Chairman. I just have one supplementary question to the member from Saltcoats. If money put from a servicing agreement is put basically into a separate account, is interest earned on that monies? Is that left in that account, or does it go into the general revenues?

**Hon. Mrs. Teichrob:** — Mr. Chairman, it would accrue to the account, and it might be a matter of agreement between the parties.

Like there are instances . . . I can give you an example for instance where the developer might be asked to make a deposit in advance to demonstrate that they actually do have, you know, the financial wherewithal to keep their commitment to fully provide the service that they're contracted to do. So while they're doing the work, the deposit would be sitting there, you know, accruing interest.

So it could be both ways. It would either accrue to the account or else there would be agreement between the parties at the outset as to what would happen to the interest.

**Ms. Draude:** — Would the agreement have to be made at the outset, or is it something that, you know, halfway through they could decide it's going to end up in a different account?

(1615)

**Hon. Mrs. Teichrob:** — Mr. Chairman, this is exactly what these provisions are meant to clarify. But usually in the case of a servicing agreement for a subdivision, it's made crystal clear upfront for the protection of the municipality, the contractor, and future residents of the area that the contract will be fulfilled; the services will be provided.

**Ms. Julé:** — Thank you, Mr. Chairman. I'd like to refer back to some of the questions that I was presenting a few minutes ago,

Madam Minister. From the comments that you gave me I gather that municipal by-laws and municipalities have the ultimate authority in determining what kind of regulations that they would put forward, according to what their municipality wants to see, their council. Is that correct?

**Hon. Mrs. Teichrob:** — Well generally speaking it is the by-laws of a municipality have to be guided by the provisions of the Act respecting rural municipalities. So they find their . . . local councils find their authority for making by-laws within the parameters of that Act.

And as long as any by-law that they make does that, then it is considered constitutional and their authority to make that by-law, depending what it is — I mean there are various avenues of appeal if someone is offended by it — but generally speaking they have a great deal of autonomy and that should be respected. And as the member from Saltcoats said, we all agree with that.

**Ms. Julé:** — Thank you, Madam Minister. It's not a matter, for my part, of agreeing or disagreeing; it's a matter here of I see some conflict.

If in fact the section I referred to earlier, section 142(1), is standing as is already in this Act and is not being amended at all, then the wording of 142(1) is contrary to what you have just said.

So how will we have both — the municipal authorities having the ultimate authority, and according to 142(1), the granting of a permit will be approved and automatic by the province regardless of municipal by-laws which do not comply with provincial regulations?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I haven't got that wording in front of me now but I did refer to it earlier, and my wording doesn't have the word "automatic" in it. So I just would like to ask the member opposite if she could provide me what it is that she's reading from.

Because the answer would be the same as I gave before on reading 142(1), that the only exception to that would be — I think the member would agree — that if a municipality, for instance, knowingly or unknowingly approved a subdivision in an area that was hazardous, like too close to the fly-way of an airport or something like that, then it wouldn't be in the public interest for the provincial authorities to approve that subdivision plan.

But beyond that aspect of the greater public interest, the municipal by-law would certainly stand.

**Ms. Julé:** — Thank you, Madam Minister. I believe my colleague has got the original — I hope he has — in front of him and I would appreciate if you would review it because as I read it, if this does stand as is, this 142(1), it reads, if a development has complied with conditions and regulations for development by environmental management and protection agency and Sask Water Corp, then granting of a permit by approving authority should be automatic by the province



regardless of municipal by-laws which do not comply with provincial regulations.

So the way I read this, this is contrary to in fact what you're saying or what you have said before.

Do you have . . . Madam Minister, do you have the original Act in front of you?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I do have the Act and nowhere does it contain the word “automatic” and that's the part that concerns me because we're talking here to go back to the previous section, because this is a subsection. It starts at section 137, subdivision by-laws, and then these are all . . . and subdivision approval — they're all under this heading. So these relate just to subdivisions, not to applications for building permits or development permits or intensive livestock permits — it's subdivision only.

And what I read in section 142(1) and I quote from it is:

Where an application for subdivision approval is in respect of land that the approving authority considers to be potentially hazardous or unstable, the approving authority may, in consultation with the minister responsible for the administration of *The Environmental Management and Protection Act* and with the Saskatchewan Water Corporation, direct that any such development on that land is required to comply with specific development standards formulated by the approving authority for that purpose.

So I don't read anything in there about automatic approval. What I . . . my interpretation of that would be that if a development has been approved by a local council in an area where these “potentially hazardous or unstable” conditions prevail, that there would be requirements to either change the application to avoid the problem or there could be a denial of a certificate of approval for that subdivision plan.

**Ms. Julé:** — Thank you very much, Madam Minister.

**Mr. Bjornerud:** — Thank you, Mr. Deputy Chair. Clause 16, could you explain the changes you're proposing to section 187, subsection (3), Madam Minister?

**Hon. Mrs. Teichrob:** — Mr. Chairman, this provision 187(1) refers to buffer strips and the proposed change would allow the minister to authorize the sale of a provincially owned buffer strip without a request from the municipality. This relates specifically to where there is no municipality. The amendment would address buffer strips located in provincial parks, and in northern Saskatchewan where no municipality exists to request a sale, as the existing provision currently requires.

The Act requires that the request for a sale come from a municipality, and in the North or in a park where there is no municipality relevant, then this is designed to remedy that.

**Mr. Bjornerud:** — Thank you, Madam Minister. It seems that this proposed amendment, if I'm reading it right, would give the minister the vehicle to authorize the sale of Crown property

without a consultation with the affected municipality. Am I right in reading that into it?

**Hon. Mrs. Teichrob:** — Well, Mr. Chairman, no, because this is only designed to address the situation where there is no municipality, where there is provincially owned buffer strips, where the land is in the Crown and there is no municipality.

So it doesn't affect the organized municipalities in southern Saskatchewan.

**Ms. Julé:** — Thank you, Mr. Chairman. Madam Minister, I won't refer you to any sections this time. I'm just going to ask you a question. If an operation is being built and already in progress, is it allowed for the municipal authorities then to impose a by-law that they have come up with since the onset of construction of this whatever it may be?

Do they have the authority to come up with a by-law once the construction is taking place — to determine whether or not the development may continue to take place if, for instance, a municipality comes up with some disgruntled people who do not really want that to continue — is it possible for the municipality to then impose a by-law at that time in the procedure?

**Hon. Mrs. Teichrob:** — Mr. Chairman, it wouldn't be. I mean normally, if a municipality . . . if all the proper procedures are followed and the municipality grants a permit for a certain kind of construction or a certain kind of development, and then part way into the project when the proponent has incurred some costs, the municipality would take some other action which would cause them to discontinue, I mean they can't be retroactive. And if a municipality ever attempted to do such a thing, they would certainly be liable for damages to compensate the developer for the cost they've already incurred.

And I even recall a situation where a municipality acted on a rumour, if you like, that a certain development was proposed. And the people who were proposing . . . and this was not a livestock development. But they were proposing . . . actually it was a Hutterite colony, and the municipality that they were rumoured to be buying land in — this happened a number of years ago — made a by-law respecting the style of residences they would permit which would have prevented any kind of communal living development.

The colony said that, claimed that, the municipality had acted in bad faith anticipating their proposal or the sale, and the resulting permit for dwellings. And they took it to court, and they won. The bench said . . . I think it went to the Supreme Court. The Supreme Court said that you can't pass laws in haste to prevent a specific thing from happening. And it was an interesting case. It happened almost 20 years ago, I think.

But if you can't get away with passing a by-law to prevent something that you anticipate, you'd be in real big trouble trying to pass it when it's already half finished.

**Ms. Draude:** — Thank you again, Mr. Deputy Chairman. Madam Minister, section 190 actually has new changes or some

changes that are mainly housekeeping. But there is an addition of the words "regional park" to the subsection. And I'm just wondering if there's a specific reason why regional parks were included at this time?

**Hon. Mrs. Teichrob:** — Mr. Chairman, this exempts developments in regional parks from having to provide for public reserve. Normally in a subdivision, depending on the extent of it, there's always a proportional amount of land that's set aside as a public reserve. And since the regional park is already a park area and the land is available for public use, there is no . . . it doesn't make sense to have a requirement to set aside public reserves.

**Ms. Draude:** — Thank you again. The amendment to subsection 200(2) seems to take away municipal involvement in decision making. Could the minister explain the reasons for this amendment?

**Hon. Mrs. Teichrob:** — Mr. Chairman, this is the same, exactly the same, as the previous explanation wherein the amendment clarifies that the minister may authorize the sale of provincially owned public reserves without involving a request from a municipality. But this is necessary to address public reserves located in provincial parks, and in northern Saskatchewan where there is no municipality to request the sale, as the provision currently requires.

**Ms. Draude:** — When the municipality wishes to change a parcel of public reserve, the minister will give her permission subject to any conditions set by the minister. Could you explain the reasoning behind this initiative?

(1630)

**Hon. Mrs. Teichrob:** — Well, Mr. Chairman, as in the previous answer, this relates to public reserves where there is no municipality, be in a provincial park or a northern area. And sometimes there might be a situation where it's a public reserve that's on a waterway or there's some other public interest to address. And so this clause requires that those things, those factors, would have to be taken into account before permission would be granted to make the sale.

**Ms. Draude:** — Thank you again, Madam Minister. Just one last question from me. Under section 221 clause 8, a provision was made to add the Saskatchewan Municipal Board to the appeal process. Can you tell me why?

**Hon. Mrs. Teichrob:** — Mr. Chairman, I'm sorry, I didn't hear the end of the question.

**Ms. Draude:** — I'm just wondering why the Saskatchewan Municipal Appeal Board, why that board was added to the appeal process.

**Hon. Mrs. Teichrob:** — Mr. Chairman, I'm not . . . I don't have the reference that the member is speaking to, but the Municipal Board has always been the appeal body. And we are making some changes to the legislation to streamline the appeal process. But as far as I'm aware, there's no injection of the

authority of the Saskatchewan Municipal Board into any part of the legislation where they didn't have authority previously.

**Mr. Bjornerud:** — Thank you, Mr. Chairman. Madam Minister, if I could, just for a minute, I'd like to go back to 187. You had touched on your answer there and you had said that actually that clause was put in there . . . that amendment was to do with northern municipalities. But I don't see anywhere in this amendment where it says northern. Would this not also then . . . if northern is not a part of this, would that not also give the minister the right then to effect these same things on southern municipalities?

**Hon. Mrs. Teichrob:** — Mr. Chairman, no. The legislation provides for this change where there is no municipality. But if there was a buffer strip in a municipality, then the existing provision that the sale could only be made at the request of the municipality would stand. It's only where there is not a municipality relevant that this provision would be operative.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

#### Clause 4

**Mr. Bjornerud:** — Thank you, Mr. Chairman. At this point I'd like to present and:

**Amend clause 4 of the printed Bill by adding immediately after the words "Subsection 48(2) is repealed" where they occur therein the words "and the following is substituted therefor:**

"(2) The minister shall, within 21 days of the date of his or her decision, cause that decision to be published in Part I of the Gazette"

The division bells rang from 4:37 p.m. until 4:47 p.m.

Amendment negatived on the following recorded division.

#### Yeas — 11

Osika	Aldridge	McLane
Draude	McPherson	Belanger
Bjornerud	Julé	Krawetz
Toth	Heppner	

#### Nays — 26

Wiens	MacKinnon	Lingenfelter
Shillington	Johnson	Upshall
Kowalsky	Crofford	Renaud
Calvert	Pringle	Koenker
Trew	Bradley	Scott
Teichrob	Cline	Serby
Stanger	Hamilton	Murray
Kasperski	Ward	Sonntag
Murrell	Thomson	

Clause 4 agreed to.

Clauses 5 and 6 agreed to.

**Clause 7**

**Mr. Bjornerud:** — Thank you, Mr. Chairman. I'd like to:

**Amend clause 7 of the Printed Bill by adding immediately after the words "Section 60 is repealed" where they occur therein the words "and the following is substituted therefor:**

"60 Within 21 days of the receipt of the decision of the minister concerning a development plan or amendment, the municipality shall publish a notice of that decision in Part I of the Gazette, and shall, within 10 days after the publication, forward a copy of the notice to the minister."".

The division bells rang from 4:52 p.m. until 4:59 p.m.

Amendment negated on the following recorded division.

**Yeas — 11**

Osika	Aldridge	McLane
Draude	McPherson	Belanger
Bjornerud	Julé	Krawetz
Toth	Heppner	

**Nays — 24**

Wiens	MacKinnon	Shillington
Johnson	Upshall	Kowalsky
Crofford	Renaud	Calvert
Pringle	Koenker	Trew
Bradley	Scott	Teichrob
Cline	Serby	Stanger
Hamilton	Murray	Kasperski
Ward	Murrell	Thomson

**Hon. Mr. Shillington:** — I move we rise, report progress, and ask for leave to sit again.

The committee reported progress on Bill No. 73.

The Assembly adjourned at 5:03 p.m.

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