

The Assembly met at 1:30 p.m.

Prayers

### ROUTINE PROCEEDINGS

### PRESENTING PETITIONS

**Mr. Osika:** — Thank you, Mr. Speaker. I present petitions on behalf of citizens with respect to youth crime:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to establish a special task force to aid the government in its fight against the escalating problem of youth crime in Saskatchewan, in light of the most recent wave of property crime charges, including car thefts, as well as crimes of violence, including the charge of attempted murder of a police officer; such task force to be comprised of representatives of the RCMP, municipal police forces, community leaders, representatives of the Justice department, youth outreach organizations, and other organizations committed to the fight against youth crime.

And as in duty bound, your petitioners will ever pray.

The signatures on these petitions, Mr. Speaker, are from Balcarres, Lemberg, and Regina. I so present.

**Ms. Draude:** — Thank you, Mr. Speaker. I too would like to present petitions today on behalf of people from the Kelvington, Watson, Muenster area. The petition reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take some of the responsibility for the ill effects of the gambling expansion policy, and immediately commission an independent study to review the social impact that its gambling policy has on our province and the people who live here.

I so present.

**Mr. Hillson:** — Thank you, Mr. Speaker. I have petitions to present from citizens of Regina:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to establish a special task force to aid the government in its fight against the escalating problem of youth crime in Saskatchewan, in light of the most recent wave of property crime charges, including car thefts, crimes of violence, charge of attempted murder of a police officer; such task force to be comprised of representatives of the RCMP, municipal police forces, community leaders, representatives of the Justice department, youth outreach organizations, and other organizations committed to the fight against youth crime.

Mr. Speaker, I so present.

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to present petitions from people across the province that are concerned about the government's gaming policy. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to cause the government to take some responsibility for the ill effects of its gambling expansion policy, and immediately commission an independent study to review the social impact that its gambling policy has had on our province and the people who live here.

The petitioners are from Middle Lake, Cudworth, Muenster, and St. Gregor. I so present.

**Mr. McPherson:** — Thank you, Mr. Speaker. I bring forward petitions today from people throughout Saskatchewan who have suffered big game damage. The prayer reads as follows:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to change the Saskatchewan big game damage compensation program so that it provides more fair and reasonable compensation to farmers and townfolk for commercial crops, stacked hay, silage bales, shrubs and trees, which are being destroyed by the overpopulation of deer and other big game, including the elimination of the \$500 deductible; and take control measures to prevent the overpopulation of deer and other big game from causing this destruction.

And as in duty bound, your petitioner will ever pray.

Mr. Speaker, the people that have signed these petitions, many of them are from the Willow Bunch-Assiniboia area, Viceroy, Redvers; it seems like all throughout the south half of the province, Mr. Speaker. I so present. Thank you.

### READING AND RECEIVING PETITIONS

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

Petitions regarding the reversal of the municipal revenue-sharing reduction;

The establishment of a task force to aid the fight against youth crime; and

A request to change the big game damage compensation program.

### NOTICES OF MOTIONS AND QUESTIONS

**Mr. Belanger:** — Thank you, Mr. Speaker. I give notice that I shall on day no. 27 ask the government the following question:

To the minister responsible for Northern Affairs: (1) how many provincial meat inspectors work in and for northern

Saskatchewan; (2) what are the names and locations of these inspectors; (3) has the number of northern provincial meat inspectors increased or decreased over the past years; (4) has there been any reports of an increase in the number of TB cases in northern Saskatchewan; (5) is there any evidence that a decrease in provincial meat inspectors is related to the increase of TB cases in the North; and (6) what is the government doing to address these problems?

I so present.

**Mr. McPherson:** — Thank you, Mr. Speaker. I give notice that I shall on Friday next move first reading of a Bill to enact legislation that will establish the short-line railroad facilitation Act.

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

### INTRODUCTION OF GUESTS

**Mr. Aldridge:** — Thank you, Mr. Speaker. To you and through you to the rest of the Assembly, I've just spotted a colleague of mine in your gallery, Mr. Richard Boxall. I know him as president of the Indian Head-Milestone Liberal Association.

I see he is here with a group of grade 12 students from Greenall School in Balgonie and I'm sure the member from Regina Wascana Plains will be introducing them all more formally here shortly, but I would just like everybody here in the House to recognize and welcome them here today.

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

**Ms. Hamilton:** — Thank you, Mr. Speaker. As my colleague has already said to you, I would like to introduce to you and through you to all members of the Assembly, 10 Grade 12 students from Greenall School. Greenall School is an equal opportunity school. They've had the occasion to have myself, the Liberal leader, and the member from Rosthern there at Career Night. I've been invited to family fun nights and also to speak to the students with the Minister of Finance.

My colleague, the member from Qu'Appelle Valley, also was trying to search the faces and see if there were any kindergarten students she might recognize and share some tales with me before I meet with them; although our eyes are not what they used to be.

They are accompanied today by Richard Boxall, as has been mentioned, and Carol Mayes, who have through their classes introduced the students to how government operates and also to the economy and what the budget of Saskatchewan means for the future generations.

So I'm pleased to have them here and I'll be meeting with them after question period, Mr. Speaker. They've had a tour already. I'd ask all members to join with me in giving them a warm welcome.

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

**Ms. Draude:** — Thank you, Mr. Speaker. To you and through you to the Assembly, I'd like to introduce a gentleman in the east gallery, Robert Lindsay from Regina, who is here to discuss some problems with the government, with Workers' Compensation.

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

**Hon. Mr. Renaud:** — Thank you, Mr. Speaker. To you and through you to all members of the Assembly, please welcome Mr. Glen Tait. Glen is a farmer in the Meota area — and Glen might want to stand. Glen was the NDP (New Democratic Party) candidate in the recent North Battleford by-election. He was visiting ag caucus today to discuss short-line railway possibilities in the north-west part of the province, with all the rail lines that are being abandoned today. So we want to welcome Glen to Regina, to the Legislative Assembly.

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

**Mr. Hillson:** — Yes, Mr. Speaker, I would also like to join with the Minister of Highways and Transportation in welcoming Mr. Tait to the Assembly today. I would like to say he was an honourable and worthy opponent. And may I say that I hope our respective seats will remain for a long time to come. Thank you.

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

**Hon. Mr. Calvert:** — Thank you, Mr. Speaker. It is my pleasure today to introduce to you and to all members a group of Saskatchewan public servants who are seated in your gallery, Mr. Speaker. I believe they are all seated in the second pew there of your gallery.

Mr. Speaker, these are individuals who will work in the public service of the province of Saskatchewan in a variety of government departments. They're here to spend the afternoon at the legislature, not only to tour but to understand and learn of some of the processes that surround the legislation and the legislative processes.

And so we're very pleased to welcome these public servants who serve the people of our province so very well.

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

### STATEMENTS BY MEMBERS

#### Vimy Ridge 80th Anniversary Celebration

**Ms. Draude:** — Thank you, Mr. Speaker. It's with great pleasure that I rise today to recognize the veterans of World War I and II as they celebrate the 80th anniversary of the taking of Vimy Ridge. Six Canadian veterans ranging in the age from 97 to 103 years old and 12 students, one from each of the provinces and territories, were in attendance at Vimy Ridge celebrations in France.

As the daughter of a World War II veteran, I have a special and personal respect for men and women who have laid the

foundation of peace for our country and our world. It's hard for young people to realize that older people they see in homes today, in wheelchairs, and often not able to look themselves, were once bright-eyed, eager, and determined young people — young people whose bravery should never be forgotten. We lost 3,598 Canadians in that battle at Vimy, but, Mr. Speaker, we gained our freedom and our future.

On behalf of the Assembly, I thank the veterans for the sacrifices they made to ensure that we would continue to live in a democratic society. And I thank the veterans for never having to know what the world would have been like without them.

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

#### **New Buns Master Bakery in Regina South**

**Mr. Thomson:** — Thank you, Mr. Speaker. Later on this afternoon I'll be joining the Minister of Economic Development and the Minister of Agriculture and Food at the opening of a new small business in my riding. And I want to take this opportunity to congratulate Scott Cody on his efforts and success in opening a new Buns Master Bakery store and production centre in Regina South.

Mr. Speaker, this centre will create 20 new jobs and will provide better access to commercial and residential customers in the growing South Albert business area.

I've known Scott Cody for many years, and I want to tell this Assembly that he's exemplary of a new generation of small-business people in Saskatchewan. His commitment to this province and our community is appreciated and well noted. Like many other Saskatchewan people, he is showing his confidence in our growing economy with the investment of significant time and money in this new facility.

Mr. Speaker, I again want to congratulate Scott on his investment in our community. In closing, I can't resist but note that Scott comes by his commitment to Saskatchewan honestly, for as many members of this Assembly know, his father, Don Cody, is well-known in this province as a former member of this Assembly, minister of the Crown, and currently as His Worship, the Mayor of Prince Albert.

Mr. Speaker, if Scott demonstrates the commitment to Saskatchewan that a new generation of young, entrepreneurial business people show, then I have to say that his father demonstrates that despite our austere existence here, that after politics, even us lowly MLAs (Member of the Legislative Assembly), quite literally, can start rolling in the dough.

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

#### **Love is Blind**

**Mr. Bjornerud:** — Thank you, Mr. Speaker. Mr. Speaker, as you know, there has been rumours in the press about an insidious plot linking the Tories and the NDP. Both those parties made light of our concerns that they were working closely together.

Well, Mr. Speaker, we have further suggestions that undercover work is being done. In fact our evidence suggests that there is truth to the old adage, politics makes strange bedfellows.

Not long ago the member from Cypress Hills, against his better judgement of course, helped arrange a marriage between his daughter and a prominent NDP family. At first we thought this was an isolated incident; a mere chance encounter of two young hearts. Alas, Mr. Speaker, this is not the case.

This conspiracy has outgrown our provincial boundaries. It has now come to our attention that David MacDonald, a former federal Tory cabinet minister, is now dating the Leader of the federal NDP. And not only is he dating her, he wants to run as a federal NDP candidate. Yes, the Leader of the federal NDP, Mr. Speaker, Alexa McDonough.

There seems to be a natural romantic attraction between the PCs (Progressive Conservative) and the NDP. Yes indeed, Mr. Speaker, it can now be said, that as this conspiracy grows and grows and as we continue to uncover these relationships of political convenience, it just goes to prove the old saying, love really is blind.

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

#### **National Geography Challenge Winners**

**Ms. Bradley:** — Thank you, Mr. Speaker. This is getting to be something of an annual occasion for me and for Weyburn students. Last April I announced in the legislature that Brandon Swertz and Michael Larson finished first and second in the Provincial Canadian Geography Challenge and would be soon on their way to Ottawa for the nationals.

Today I'm happy to announce that Brandon repeated his first-place finish and will soon be off to Ottawa again. Brandon is a grade 9 student at St. Michael's Junior High, and he knows exactly where he is, where he has been, and where he is going, as well as what he has to go through to get there.

Joining Michael this year on the trek to Ottawa is second-place winner, Shumita Roy, a grade 7 student at Weyburn Junior High. There is a third Saskatchewan student going as well, Erin Weir, from Campbell Collegiate in Regina.

The three students will participate in the nationals in May, hosted by *Jeopardy* host, Alex Trebek. From there the top two Canadian finalists, who we hope are from Saskatchewan, will go to Washington, D.C. (District of Columbia) this summer to compete in the world Olympiad.

Mr. Speaker, I was present at the provincial geography challenge last Saturday in Weyburn, and the event was very well organized. And I can tell you that the knowledge these students showed went far beyond our traditional concept of geography, of naming a few capitals and rivers. These students answered questions on political, economic, historic, and cultural geography in addition to knowing that Saskatchewan is the best place in the best country in which to live.

My congratulations once again and best wishes to Brandon, Shumita, and Erin at the nationals. Thank you, Mr. Speaker.

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

#### **50th Anniversary of the Melfort Credit Union**

**Mr. Gantfoer:** — Thank you, Mr. Speaker. Mr. Speaker, today I'd like to rise and ask the Assembly in joining me in congratulating the Melfort Credit Union organization who today are celebrating their 50th anniversary of providing service in the Melfort area. The members I'm sure are very well aware of the great service that credit unions have provided in the province of Saskatchewan over the years and certainly the Melfort Credit Union is no exception. They have branches in Gronlid, Kinistino, Naicam, Star City, and Weldon. Please join with me in offering our congratulations to the Melfort Credit Union on their 50th anniversary.

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

#### **Approval for Joint-use Facility in Estevan**

**Mr. Ward:** — Thank you, Mr. Speaker. In 1993 four school divisions in the Estevan area believed that a long-term study needed to be completed in order to determine the options that would improve the education system in their community.

The results of that study showed that the most viable solution for the concerns was a multi-faceted approach that involved seven facilities. The first phase is already complete — the renovations to the Pleasantdale Elementary School.

Mr. Speaker, the second phase was given approval to proceed yesterday by the Minister of Education. This step involves the relocation of the Southeast Regional College to the Estevan Comprehensive High School at a cost of 2.5 million, to be completed by the end of August. The new joint-use facility will provide the community with a cost-effective program that enhances the educational benefits for the students. Not only will facilities be shared, Mr. Speaker, but so too will the equipment, the resources, and the expertise that combine to provide students with the best education possible.

I want to congratulate the school boards, who have combined their efforts and resources in order to help provide the users of our education system — the students — with new and exciting educational opportunities and facilities in our community. Thank you, Mr. Speaker.

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

#### **William Johnstone Milne**

**Mr. Aldridge:** — Thank you, Mr. Speaker. Eighty years ago today William Johnstone Milne, a young man from the Caron district of my constituency, joined thousands of other Canadians in an attack on the German stronghold of Vimy Ridge. Twice that day he saw his fellow Canadians pinned down under heavy machine-gun fire and twice he crawled through it alone to capture the machine-gun posts, saving the

lives of many Canadians.

William Johnstone Milne was killed later that day but was posthumously awarded the Victoria Cross, our highest military honour for bravery beyond the call of duty.

Mr. Speaker, I'd ask the members opposite to reflect on this selfless commitment to Canada. Each day in this House they fan the flames of regional division through their countless and often senseless attacks on the federal government. Their actions lead me to believe that they put political gain ahead of the well-being of Canada.

William Johnstone Milne was a great Canadian who placed the well-being of his fellow Canadians before his own. And if the Premier wishes to call himself a great Canadian, I'd ask him to show the same selfless commitment in setting an example for his NDP government members.

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

#### **Battleford Area Teens Enter National Science Fair**

**Ms. Murrell:** — Mr. Speaker, Saskatchewan people have shown time and time again that they have the ability, the intellect, and the desire to be the best, to contribute to new technologies, new innovations that benefit the entire world. That is why, Mr. Speaker, that I am extremely proud of the accomplishments of two outstanding young scientists from the Battlefords area who have successfully produced what appears to be artificial skin.

Zack Belak and Rogan Federko, who are 14- and 15-year-olds, first demonstrated their finding at the Battleford Junior High science fair. Since then they have won the regionals and will be on their way to nationals, and hopefully to the international competition.

What is amazing about this discovery, Mr. Speaker, is that it has been attempted unsuccessfully by many professional scientists.

These two young men from The Battlefords discovered the appropriate mixture of human skin cells, special fungus, base culture, and selected organic acids that produce inexpensive artificial skin. This discovery, Mr. Speaker, will benefit anyone suffering from a skin disorder or needs skin grafting.

These efforts and accomplishments are generating interest worldwide within the scientific community. I feel that it is appropriate for everyone in this Assembly to join me in congratulating these young men for their revolutionary discovery. Thank you.

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

#### **ORAL QUESTIONS**

##### **SaskTel's Failed United States Venture**

**Mr. Bjornerud:** — Thank you, Mr. Speaker. Mr. Speaker, we

heard the minister in charge of SaskTel indicate yesterday that business is business — sometimes you win, sometimes you lose — to explain the Crown company's \$16 million loss because of a bad business deal.

The minister indicated, among other things, that in retrospect the information we got didn't have sufficient analysis of the kind we should have had. And then she added, the best strategy from an investment point of view would've been to withdraw earlier and save some money.

The minister stated that the reason that her government did not withdraw earlier is because it would not have been the honourable thing to do. One has to question when honour has ever been a consideration of this government. Community leaders who were promised a share of the VLT (video lottery terminal) profits would certainly question this point.

Mr. Speaker, the minister's comments represent a lack of any respect for the taxpayers of Saskatchewan. This entire issue also provides a clear lesson in how not to do business. The question Saskatchewan residents have been asking today is what mind-altering drug led the minister and her officials into this deal in the first place. Why did you enter into a venture like this without knowing all the facts?

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

**Hon. Mrs. Teichrob:** — Mr. Speaker, I would suggest that the members opposite should keep their eye on the ball. SaskTel has a strategic plan to derive at least 40 per cent of its revenues from non-traditional sources by the year 2000. This is a plan developed in 1992 when faced with deregulation, by the federal government, of the telecommunications industry. We pay attention to what the taxpayers of this province and the shareholders of our telephone company, the people of Saskatchewan, say.

In the public hearings, Mr. Speaker, in the public hearings held in conjunction with the Crown review, the people of Saskatchewan said loudly and clearly, we want the telecommunications company to remain a Crown. We recognize that when competition is allowed to come here, that our telephone company has to make investments in the global environment outside of the province in order to sustain the operation in Saskatchewan.

We are listening. We are sensitive to what the people of Saskatchewan say. They are the shareholders of that telephone company. The people of Saskatchewan built it; they own it; it's theirs. We manage it well on their behalf. And I would suggest, Mr. Speaker, that we do listen to the people of Saskatchewan.

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

**Mr. Bjornerud:** — Mr. Speaker. Yesterday was just an example of just how well you are managing SaskTel, Madam Minister.

Mr. Speaker, media reports today indicate that SaskTel plans to review local phone rates over the coming months. And this

review, which may lead to higher phone rates, comes as something of a surprise, given the fact that the minister tried to brush aside the \$16 million loss by the Crown yesterday.

Mr. Speaker, as she put it, business is business; sometimes you win, sometimes you lose. Well, Madam Minister, let's not downplay this loss. As Mark Wyatt pointed out in today's *Leader-Post*, the \$16 million business venture gone bad is nearly three times the size of the former Conservative government's bad business GigaText fiasco.

Will the minister explain how SaskTel officials can even contemplate a possible rate increase at this time. Taxpayers will pay for your business fiasco. Why must they also pay in the form of higher phone rates to cover up for your mismanagement?

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

**Hon. Mrs. Teichrob:** — Mr. Speaker, first of all, as I said yesterday, we have two companies — we have the telco, the telecommunications company; we have a holding corporation which holds all the other investments. We have made in the last 10 years, strong headway towards that goal of 40 per cent of revenue from non-traditional sources — \$300 million in the last 10 years — profits brought into this province from offshore and from outside Saskatchewan.

You want to sell it. Your leader says you'd sell it. In the analysis of the university budget, he said he'd sell it. That would solve the problems, wouldn't it.

And in terms of the rates, Mr. Speaker, we take our direction from the shareholders of SaskTel, people of Saskatchewan, not from the scribes who write for the press.

And we have, Mr. Speaker, a report that one of the SaskTel executives spoke to the Kiwanis Club and talked again about the need to get revenue other than long-distance sources as those rates go down. He talked about keeping local rates down, and the amount of subsidy that's there needs to be replaced from other income sources other than long distance as rates go down. That's what he said, Mr. Speaker.

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

**Mr. Bjornerud:** — Mr. Speaker, this brings into question another area then that I'd like to ask the minister about. We have an example of Jack Messer, a patronage appointment, running SaskPower, \$30 million investment in Guyana. We have Don Ching, another patronage appointment, running SaskTel. And I'm sure these gentlemen like playing the big businessman's game but they're playing it with our money — the taxpayer of Saskatchewan.

Would you agree, Madam Minister, that it's time to reconsider these appointments and time to hire people with the qualifications and business background that could run these Crowns efficiently and like they were originally designed to be run?

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

**Hon. Mrs. Teichrob:** — Mr. Speaker, if the \$16 million is taxpayers' money, what about the \$140 million of profit in Leicester? That accrued to the taxpayers. What about the sale of the hospitality network that was developed here in Saskatchewan, to Hong Kong and other international markets? That's money brought into Saskatchewan, Mr. Speaker.

In terms of the needs of the Saskatchewan people, the Bill that your party, that you introduced as a member into this House, to use the REDAs' (regional economic development authority) boundaries for toll-free calling, would translate into a \$46 increase for every local telephone in Saskatchewan. That's what you would do, Mr. Speaker.

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

### Workers' Compensation System

**Ms. Draude:** — Thank you, Mr. Speaker. A rather disturbing story has come to the attention of us and I'd like to bring it to the attention of the government. A Regina man, Robert Lindsay, suffered a lung injury while working in a mine in northern Saskatchewan. He underwent exploratory surgery and during the course of the operation, Lindsay said a mistake was made leaving him in chronic pain.

Lindsay has tried to sue the doctors but he has hit a brick wall, Mr. Speaker. That wall is workmen's compensation, which granted the doctor's request to be designated as an employer. This doesn't make any sense, Mr. Speaker. Robert Lindsay's current condition did not happen on the job, it happened in the operating room.

Lindsay did not have an employee-employer relationship with his physician. He had a doctor-patient relationship. But the doctors involved in this case are using WCB (Workers' Compensation Board) to avoid a malpractice suit. Can the minister of WCB . . . how can you allow this to happen?

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

**Hon. Mr. Cline:** — Mr. Speaker, I would advise the House that Mr. Lindsay is taking the matter of the question that the member raises to the Court of Queen's Bench and I believe challenging the decision that the Workers' Compensation Board made. Therefore a decision will be made in due course by the courts. They are the appropriate place for this matter to be dealt with. And I'm sure that the courts will insure that the matter is dealt with in an appropriate manner.

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

**Ms. Draude:** — Mr. Speaker, in February of this year the government was presented with a review of workmen's compensation. It included a recommendation to amend the Act to allow an injured worker the right to sue health care professionals in the cases of negligence. At that time Labour Minister Bob Mitchell said, and I quote, "Because their recommendations are based on . . .

**The Speaker:** — Order, order. I want to remind the member that when making reference to members of the House, unless it is included in the direct quote that is used, must not use proper names. And I'll ask the hon. member to guide herself accordingly.

**Ms. Draude:** — Thank you, Mr. Speaker. At the time the Labour minister said, "Because of their recommendations, and they're based on consensus, they are of great value in pointing the way to improvements in the workers' compensation system."

But after three months the government appears no closer to making a decision. This does not help people such as Robert Lindsay, who is suffering from a chronic pain and has no recourse, as doctors are hiding behind WCB in hopes of avoiding lawsuits.

When will this government act on the recommendation given to the government and give people some recourse under the law, giving them back their rights and their dignity?

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

**Hon. Mr. Cline:** — Mr. Speaker, as to Mr. Lindsay's case, that matter is, as I said, before the courts and it will be resolved in that fashion.

As to the rest of the member's question in terms of the recommendations of the review panel, those recommendations are under active review by the Minister of Labour. He will be consulting with various groups about those recommendations and responding to them in due course.

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

### SaskTel's Failed United States Venture

**Mr. Goohsen:** — Thank you, Mr. Speaker. Mr. Speaker, my questions today are also to the minister of SaskTel. Madam Minister, you got a big problem on your hands, a very big problem in fact, and you're having a pretty hard time explaining it.

Now first you say that the NST deal looked like an attractive business opportunity, that is until there were competitors. Are you saying that you didn't expect competitors, Madam Minister — in the United States of America you didn't expect competitors?

Next you say the reason you didn't pull out of the NST deal sooner was because you weren't privy to the company's complete financial records. But you were a 50/50 partner, Madam Minister, a 50/50 shareholder. Madam Minister, that is not a minority shareholdership.

Next you say you had access to the financial information but you didn't bother to have SaskTel's chief financial officers examine them. Excuse me, Madam Minister, that must have been a typographical error, I'm sure.

Madam Minister, here is your chance to make some sense. Do you or do you not have a real explanation for how you squandered \$16 million of the taxpayers' money? What really happened, Madam Minister, in the United States?

**Hon. Mrs. Teichrob:** — Mr. Speaker, first of all, I would like ask the hon. member opposite to refrain from putting words in my mouth. I also would like to say that this . . . we are on a target to get 40 per cent of our revenue from sources other than telephone . . . long-distance and telephone sources. We have made considerable progress. We're more than ahead of our target to reach that goal by the year 2000.

And we have brought in 300 million . . . Yes, this is a set-back. It is a set-back. But we're well ahead of our target. And in a portfolio of diversified investments, some will materialize to a better extent than others. But on the whole, that portfolio of investments has been very successful and has helped to keep the local telephone rates in Saskatchewan at the second lowest in Canada, Mr. Speaker.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. A further question to the minister responsible for SaskTel. You are personally responsible for Saskatchewan's version of Bre-X, Madam Minister. Business is business, so you say. Well I'm afraid that's not good enough. The bottom has just dropped out of your gold mine, Madam Minister.

Yesterday you admitted that you didn't do your homework. You didn't have the financial records analysed properly. The bottom line, Madam Minister, is that you didn't do your job. You're the minister responsible for SaskTel, you're on the board of directors, and you didn't do your homework.

Sixteen million dollars gone, Madam Minister. And nobody has to be accountable for it, so you say. Well we say you have to be accountable. Heads have rolled for a lot less than this, Mr. Premier. Mr. Premier, if this lady worked for me, I would be saying right now, you're fired.

Madam Minister, will you do the honourable thing? Will you take responsibility for your incompetent actions? Will you resign today?

**Hon. Mrs. Teichrob:** — Mr. Speaker, for the information of the hon. member, I have no intention whatsoever of heading for the hills even if there's gold in them. And, Mr. Speaker, as I said yesterday . . .

**The Speaker:** — Order, order, order. Order! Order, order. The Chair is having difficulty being able to hear the minister provide her response. And I will particularly ask . . . Order. I will particularly ask the sources of the question to pay attention to the answer and to allow it to be heard. Order.

**An Hon. Member:** — If we hear something intelligent, we'll listen.

**Hon. Mrs. Teichrob:** — If you wait a minute, maybe you will.

Mr. Speaker, I think that . . . The members opposite know, having been business people themselves, that every time things take a little turn, you don't run for the hills. I remember being in retail when the Conservatives brought in the GST (goods and services tax) and I remember the parking lot in the shopping mall looking like there was a bomb scare in it. You don't lock up and throw away the keys. Stick it out — that's what you do.

Mr. Speaker, we are paying \$17 million a week on the debt that was racked up by those people right there. And they're talking as if this set-back of 16 million on profits of 300 million is a huge factor when we're spending more than that every week paying for their mistakes, Mr. Speaker.

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

#### Potential SaskTel Rate Increase

**Mr. Heppner:** — Thank you, Mr. Speaker. Mr. Speaker, my question is also for the minister responsible for SaskTel. We didn't like those answers much so we're going to dial that number again.

The day after learning about the \$16 million NDP Saskatchewan's touch tone Bre-X fiasco, I'm told you're going to increase SaskTel rates. Coincidence? I rather doubt it.

Your own officials say that SaskTel lost less than 10 per cent of the long-distance market to competitors, which is much less than you predicted, yet you're coming to ratepayers and telling them you need another rate increase because of the long-distance revenue. It doesn't make any sense.

How much revenue has SaskTel lost to competitors, Madam Minister, and why are you once again gouging Saskatchewan people by your utility rate increases with no meaningful review process?

**Hon. Mrs. Teichrob:** — Mr. Speaker, I can assure the House today that there are no local rate increases contemplated for SaskTel. We have not announced any. We have not said anything. There was a press report that misconstrued what one of our executives said in an address to a Kiwanis Club meeting. We are not contemplating local rate increases.

But I would like to remind the member again that any additional revenue from any of the Crowns wouldn't cover off for one minute that \$17 million a week that we're paying on the debt that you racked up.

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

**Mr. Heppner:** — Madam Minister, I think we'll just press that redial button again on the same topic.

The writing seems to be on the wall. One day we hear that you're losing 16 million through SaskTel, the next you want each and every SaskTel customer to ante up. Madam Minister, how are Saskatchewan taxpayers supposed to swallow a rate increase from SaskTel after you've just dumped 16 million of their money down the drain?

Is this the real reason you're going to increase the SaskTel rates, Madam Minister — because you lost millions in your Saskatchewan version of Bre-X and taxpayers are going to bail you out? Why don't you admit it, Madam Minister, that you are increasing the SaskTel rates because you blew the 16 million and you're scrambling to cover your own losses?

**Hon. Mrs. Teichrob:** — Mr. Speaker, SaskTel had last year one of the most profitable years on record in their telecommunications company. Their investment portfolio is held separately and has no affect upon the local rates.

Mr. Speaker, before I hang up on the member opposite, I'd just like to remind him again to try to manage his messages and try to remember that we are paying \$17 million a week on their debt, Mr. Speaker.

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

#### Political Patronage

**Mr. Heppner:** — After all that static on what might have been an answer, we'll just switch to a different line, I think.

Mr. Speaker, my question is for the Premier. Mr. Minister, you know your government and we know that you're committed to recycling. You are now in the process of recycling your NDP patronage appointments. You recently recycled Gord Nystuen and now you've former NDP candidate Dickson Bailey. He's been given a brand-new position called provincial coordinator, local government election office — working out of the Premier's office at 80,000 a year. Mr. Minister, we've just broken the code. Provincial coordinator, local government election officer, really means make-work project.

Mr. Minister, as a former mayor, I know Saskatchewan communities have been running local elections for just about 100 years without Dickson Bailey's help. Why is this position necessary? Why is it run out of the Premier's office instead of Municipal Government? And will you admit this is nothing more than a made-up position to give a high paying job to another NDP patronage appointment?

**Hon. Mr. Lingenfelter:** — Mr. Speaker, I want to say to the member opposite that very clearly the civil service in Saskatchewan have been very instrumental in helping to clean up the mess left by that crew over there that you represent now. They've done a wonderful job.

I say to the member opposite, one of the people that you're always complaining about, always complaining about — always complaining about — Mr. Don Ching, now I want to make one comparison with Mr. Ching with your buddies over in Alberta on the heavy oil upgrader deal. Do you remember that deal, where your Tory friends in Alberta lost for the people of Alberta a couple of hundred million dollars, and the deal was made and recommended by Mr. Ching to keep our position and buy up those 7 cent on a dollar positions of Alberta Tories? And we made good money on it.

I think you not only owe an apology, but should send a little

letter of thanks to Mr. Ching for the good work that he's done for the people of the province.

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

#### Prosecutions Review Report

**Mr. Hillson:** — Mr. Speaker, one of the good things I noted . . .

**The Speaker:** — Order, order, order. Order, order. Order. Order. All members will come to order and I'll ask all hon. members to allow the question to be put and the answer to be heard without shouting across the hall.

**Mr. Hillson:** — Thank you, Mr. Speaker. One of the good things to come out of the Martin report released this week was that there was a flat and clear finding that there had been . . . there was absolutely no evidence of political interference in the prosecution of former politicians and former members of this House. And of course the report called upon all members of this House to refrain from making any such suggestions.

Mr. Speaker, I was pleased to see that conclusion; however I think we all recognize that adequate resources must be given to this investigation to make sure that this unseemly chapter in the history of our province can be brought to a speedy conclusion.

Will the Minister of Justice explain what his department is doing to ensure that all necessary resources are provided so this investigation can be concluded in a timely manner?

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

**Hon. Mr. Nilson:** — Thank you, Mr. Speaker. We are examining that recommendation very carefully and we will report in due course.

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

**Mr. Hillson:** — Mr. Speaker, a few years ago a criminal investigation in this province got so seriously off the rails that we had many people in this province and indeed throughout Canada believing that satanic child abuse was rampant in this province. How and why this happened was not part of the Court of Appeal case considered by our Court of Appeal, nor is it the focus of the present cases for malicious prosecution against our prosecutors. And of course the Martin inquiry was forbidden to look into this area.

Does the minister believe it is important to get to the bottom of the Martensville investigation, to find out how and why it happened and how similar problems can be avoided in the future, or does he simply hope that this matter will quietly go away?

**Hon. Mr. Nilson:** — Mr. Speaker, thank you very much for that question. As was set out in the *Leader-Post* today in their editorial, they concluded with this paragraph which I think is very appropriate. It says:

While these actions (referring to all these public actions and the report) should help deal with some specific problems, it will be up to the politicians (both sides of the House) to help rebuild public confidence in the system by making sure any comments are based on fact and are not attempts to make political points.

There are many circumstances relating to this matter in Martensville that are a matter of public record, and it's a fact that the allegations of sexual abuse against children were brought forward to the police. Those allegations were investigated and charges were laid — more than 160 charges against 9 individuals.

This attracted significant public attention and concern. Speculative comments were made in relation to possible ritual or satanic abuse from a number of different people called upon to comment. I don't believe the Crown prosecutors ever characterized the abuse in this fashion, and no charges which supported so-called ritual or satanic activity were taken forward by the Crown. I ask that the members of this House be very careful in the facts that they state publicly before national television or anywhere else.

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

#### **Surgery Waiting-lists**

**Mr. Hillson:** — Mr. Speaker, the Minister of Health is continually telling us we have the best system of health in the world, and I can only say if this is still true since wellness, I pity the rest of the world. I wish to bring his attention again to the case of Shawna Prebushewski of North Battleford who was diagnosed as having endometriosis in September of last year. She is in severe pain. She is a young mother of three. She has been told it will be at least nine months before her surgery is even scheduled, and in the meantime she will simply have to endure the pain.

She has been told that her case can be bumped up and she can be put on emergency basis if she takes narcotic painkillers. She is reluctant to do that as a mother of young children. She has tried contacting the doctor and been told to talk to the Minister of Health. The Minister of Health tells her to talk to the doctor. What can she do to enjoy the benefits of this best health system in the world?

**Hon. Mr. Cline:** — Mr. Speaker, as the member knows, the matter of waiting times for surgery depends upon whether a person is classified as urgent, emergency, or elective. And urgent cases are usually dealt with in a number of days if not immediately, emergency in a matter of weeks.

I am not going to comment on the specific case the member raises because it would be improper for me to do so, but I do want to say that if the person that the member is talking about feels that the categorization of her case is not correct, she should be consulting with her physician. She also could give a call to the quality of care coordinator for the health district in which she resides.

And having answered the question, Mr. Speaker, I want to say this to the member. It's fine for the member to get up, and members of the Liberal Party to get up, and criticize our health care system, the public medicare system. But I've issued a challenge to the member to say this — if he says there is a place in the world that has a better health care system than the province of Saskatchewan, tell us where it is.

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

#### **INTRODUCTION OF BILLS**

##### **Bill No. 220 — The Shortline Railway Successor Rights Suspension Act**

**Mr. McPherson:** — Thank you, Mr. Speaker. I move that Bill No. 220, An Act respecting the Suspension of Successor Rights in relation to the Acquisition of Shortline Railroads and to amend The Trade Union Act in consequence thereof, be introduced and read a first time.

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

#### **TABLING OF REPORTS**

**The Speaker:** — Before orders of the day, I wish to table the annual report of the Children's Advocate and the Provincial Ombudsman.

#### **ORDERS OF THE DAY**

#### **WRITTEN QUESTIONS**

**Mr. Kowalsky:** — Mr. Speaker, I respectfully request that question 38 be converted to notice of motions for return (debatable). And with leave, Mr. Speaker, I hereby table the responses to questions 39 and 40.

Leave granted.

**The Speaker:** — Item no. 1 is converted to motions for return (debatable); items no. 2 and 3, the answer is provided.

#### **GOVERNMENT ORDERS**

#### **SECOND READINGS**

##### **Bill No. 14 — The Water Corporation Amendment Act, 1997**

**Hon. Mr. Lautermilch:** — Thank you very much, Mr. Speaker. Mr. Speaker, it is my pleasure to move second reading of The Water Corporation Act. There are three basic things which can be found in this Act, Mr. Speaker — clarity, consistency, efficiency. This government is committed to streamlining the regulatory process.

This legislation will reduce the regulatory burden on many Saskatchewan urban municipalities and has the potential to

reduce that burden for thousands of Saskatchewan landowners. And by doing so, Mr. Speaker, it will reduce the overall regulatory costs to the government without compromising the public interest.

Mr. Speaker, it will remove Sask Water's regulatory involvement in the approval process for internal municipal sewage collection and water distribution pipeline works which are completely within an urban municipality.

This legislation eliminates the need for municipalities to submit detailed plans of their pipeline system to government for review, thereby reducing the total regulatory cost. Treatment works, internal storage reservoirs, and pump house facilities that are connected by the pipelines within an urban municipality will still be reviewed by Sask Water and by SERM (Saskatchewan Environment and Resource Management). This Bill reduces the red tape for municipalities and gives them more local autonomy.

Mr. Speaker, Sask Water normally has to review between 75 and 100 subdivision proposals each year involving pipeline distribution system, and this will free up more staff resources to work on other more pressing water management problems. Priority, consistency, and efficiency, Mr. Speaker.

The new Sask Water Act also has the potential to reduce regulatory burden on more than 6,000 Saskatchewan landowners who operate their own dams for domestic use to water their stock. Currently when land is sold, provincial approval to operate the dam under The Water Rights Act must be transferred to the new owner. That means that the new owner has to file an application to Sask Water and has to do an inspection. This has resulted in significant regulatory backlog and is usually unnecessary as the new owner generally puts the dam to the same use as did the previous owner.

In addition, many new landowners may not have applied to have other works transferred and could, within the letter of the law, be operating illegal works under the Act. Certainly, Mr. Speaker, that is not a situation that we want to continue.

Including these domestic projects under The Water Corporation Act will remove the need to reissue an approval if the land is sold. The new owner will, however, be required to operate the dam under the terms and conditions of The Water Corporation Act.

This change will reduce red tape for landowners who buy lands which have domestic dams and it will reduce the regulatory burden of Sask Water. Clarity, consistency, and efficiency, Mr. Speaker.

Mr. Speaker, Sask Water is currently the only utility Crown corporation which requires the approval of the Lieutenant Governor in Council to expropriate easements for its projects. Sask Water strives, usually successfully, to obtain easements voluntarily. It isn't always possible, however, and the time required to obtain the order in council can add costs to the project for both Sask Water and its clients.

Mr. Speaker, this legislation will ensure that Sask Water obtains all required approvals before issuing expropriation orders while not having to go to the level of order in council. As I said, Mr. Speaker, consistency, clarity, and efficiency is what this Bill is about.

Finally, the new Water Corporation Act will ensure uniformity of the sale of the beds and shores of water bodies where first nations are involved. Currently the beds and shores of water bodies can be sold to the first nations under treaty land entitlement claims. This legislation allows for such sales under specific land entitlement claims as well. It provides uniformity and helps the province continue to work with Saskatchewan's first nations on land claim issues.

These four changes to The Water Corporation Act all, in one way or another, bring clarity, consistency, and efficiency to the Act and to the government's relationship with many of Saskatchewan people.

Mr. Speaker, it is my distinct privilege and honour today to move second reading of The Water Corporation Act.

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

**Ms. Draude:** — Thank you, Mr. Speaker. And I thank the minister for his words on Bill No. 25.

Mr. Speaker, the Saskatchewan Water Corporation is not the highest profile of our Crown corporations. But as we've seen in the past few weeks, it can be one of our more important Crowns.

Mr. Speaker, I'll only take a few minutes to talk about the Bill today, as we are still talking with those who will be affected by the changes this legislation will implement. But before moving for adjournment there are a few general comments I'd like to make about the Bill and about Sask Water, for the very reason of how important the whole issue of water is to the people of this province.

I don't think there are many places in Canada where the subject of water is of greater concern. In the years when we have too little water, our farmers are hurt with crop failures and our economy suffers. In the years like this one and last year too, too much water had the same effect.

We've heard that once again this year there are farmers who will not be able to get onto their land due to excess water. Others will have to seed very late, and making the risk of frost all the greater. In fact there are farmers who have land that will be under water throughout the whole of the year. Now with this year's flooding, these problems will be compounded.

And, Mr. Speaker, I'd be remiss if I didn't take the opportunity to recognize the many residents of our province who have rolled up their sleeves in the past few weeks to sandbag and do what was needed in order to protect their property and their family from flood waters we have unfortunately experienced this year.

Clearly in many of the cases there's only so much that can be done by Sask Water in terms of the flood waters that move into our province after the winters we've had. However, we must also be concerned with doing everything we can to best control floods and we must give the people of Saskatchewan every assurance that everything is being done.

That is always a concern when I see headlines such as the one that appeared in the Moose Jaw *Times-Herald* on March 21 that said, "Flood control answers demanded." That article told of the frustration of many river valley residents who are demanding to know why the recommendations they have made to the government in the past for controlling floods were ignored until this past spring.

(1430)

Mr. Speaker, I believe it is absolutely imperative that Sask Water not only listen to the concerns of the people affected by their decision but the corporation must always be in the position where they have to explain the decisions that are eventually made.

Who can blame people for getting angry when they see their worldly possessions endangered by rising flood waters? And who can blame people for getting angry when flood waters sweep away bridges and wash away roads?

Like I say, there are cases where nature is going to take its course. But I think the question we have to continue to ask ourselves is whether the provincial government through Sask Water is doing all it can to tell people what decisions are being made and why these decisions are being made. There's simply got to be more communication with the people of Saskatchewan, not only with Sask Water but with this entire government.

And this story is far from complete this year. The people in the Qu'Appelle Valley and around Weyburn are just getting their first taste of this year's flooding and there no doubt will be many complaints about Sask Water coming from those areas. I urge the corporation and the minister responsible for Sask Water to please listen to these concerns. Perhaps some of the criticism will not be warranted, but some of it could be, Mr. Speaker, and the minister and the government opposite have got to listen to these serious concerns and criticisms very carefully and very thoughtfully.

Mr. Speaker, it only takes a spring like this one to tell us what Sask Water's main function should be in this province. The mandate of the Water Corporation is, according to the latest annual report, "to manage, administer, develop, control, and protect the water and related land resources of Saskatchewan." That seems pretty clear to me. However, I feel the corporation might be straying just slightly from its mandate with ventures like SPUDCO, the provincial government's attempt to get in on the potato growing industry.

Is this really what Sask Water should be doing? I don't think so. And neither do other people in the province, farmers who are involved in the industry. These are producers that will now

have to compete with the provincial treasury. And I'm sure that's a debate we'll continue to have, Mr. Speaker.

But again my main point is this: what in the world is Sask Water doing getting involved in business? Is this the best use of this corporation's resources at a time when flooding is devastating so many and in a province where soon enough we'll have a year when there isn't enough water? We all remember the impact of the 1980s drought. That is where this corporation should be concentrating its efforts, Mr. Speaker. And as I've said, we're still in the process of thoroughly reviewing this Bill with municipal leaders and many others who will be affected by it.

But I would like to make some preliminary comments today. The first major clause of this Bill will give much authority to Sask Water. Namely, it will allow the corporation to begin expropriating land easements without seeking cabinet approval first.

Mr. Speaker, I'm well aware of sometimes onerous procedures involved in land expropriation, and these procedures can be great. I think we all remember the great controversy surrounding the dam projects in the south-east part of our province where land expropriation was used. And of course it's used in much lower profile situations.

But the word itself is a scary one for many people, who see it as taking away some of their rights. Expropriation should always, always be used as a last resort. And that's why Sask Water has got to keep in mind the people who are affected by its decisions. And that's why I'm concerned that cabinet will no longer have final approval over these decisions, because at least to the people who are having their land taken away this is a major issue.

While the cabinet certainly does not have a great track record when it comes to listening to the concerns of the people, it remains the only link between the corporation and the people of Saskatchewan in matters of expropriation. And to lose this last link when it comes to people's personal property causes concern to me. And I'll certainly be asking the minister to give the people of Saskatchewan some reassurance in this regard. Yes, it is always good to speed up the process, but giving the corporation a power of expropriation without some input from an elected official raises very many questions.

Mr. Speaker, this Bill also talks about reducing the regulatory process for urban municipalities which are undertaking sewage or waterworks projects that are completely confined to their jurisdiction. This seems to make sense because it appears Sask Water and SaskEnergy and Resource Management were regulating pretty much the same thing when it came to those projects. So while the burden on municipalities will be reduced, controls will still be in place to ensure safe drinking water and effective sewage disposal.

We'll of course have many questions on this in Committee of the Whole and in estimates as well. But on that same matter, I've spoken many times on the need to reduce the regulatory burden in Saskatchewan, and this government has as well.

I think we all remember last year's throne speech when the government committed itself to reducing the number of regulations in place in Saskatchewan. You'll remember that promise, Mr. Speaker. It came just before the government opposite introduced another 120 bills into this legislature all with pages and pages of their own regulations.

So let me just say while it's heartening to know this Bill will in fact reduce some of the red tape for municipalities, I'm not convinced the government is truly committed to its regulatory reduction as an overall goal.

Mr. Speaker, the final section of this legislation deals with lands to be sold to the first nations people for the purpose of settling specific land claims. These are claims that are long outstanding and must be made good.

However, Mr. Speaker, again I want to urge the government that it must continue to consult with the residents of Saskatchewan regarding this issue before sales are made. The whole issue of land claims settlement is greatly misunderstood by many, and the government will only be doing more harm if it fails to properly explain to people in these areas where claims are going to be settled and what the process is going to be.

I've heard from many who have been affected by treaty land entitlement settlements. And while very few take issue with settling these claims — and certainly I don't — there is at times major concerns that neither the provincial or the federal government have done enough to consult with the nearby residents, or at least to explain the process that is taking place. That's the situation that we must avoid whenever and wherever possible, Mr. Speaker, and I urge the government to keep this mind.

Mr. Speaker, those are a few of the preliminary comments I want to make about Bill 25. We will have more to say on this piece of legislation in the later debate. For now I move that debate be adjourned.

Debate adjourned.

**Bill No. 29 — The Residential Tenancies  
Amendment Act, 1997**

**Hon. Mr. Nilson:** — Mr. Speaker, I rise today to move second reading of The Residential Tenancies Amendment Act, 1997. The Residential Tenancies Act deals with the rights and responsibilities of tenants and landlords in the rental market.

The challenge with respect to this legislation has always been to create a balance between the rights and responsibilities of both the landlord and the tenant. In developing the amendments I am proposing today, Mr. Speaker, we have tried to achieve the necessary balance between the interests of the tenants and of landlords and to establish policies that are fair to both parties.

We recognize, Mr. Speaker, that in the vast majority of tenancy agreements, both the landlord and the tenant act with fairness and integrity. In most residential tenancies, landlord and tenant relationships are positive. However, when disputes about

security deposits occur, we hear concerns about the system for dealing with those disputes. For those situations where a problem does develop, we have improved the system to deal with disputes. We believe, Mr. Speaker, that the new Bill ensures fair treatment of both parties by requiring the landlord to return the security deposit to the tenant within a short period of time; and if there is a dispute, to resolve it as quickly as possible.

In addition, this Bill will reverse the onus so that a landlord has to make a claim to the Rentalsman for an order to retain any or all of the security deposit. I believe that we have achieved this balance in these amendments.

The current maximum security deposit provided for in the Act has generated a great deal of attention in recent years. Mr. Speaker, we realize that our policies must keep pace with current issues of concern to both landlords and tenants. We believe that this Act will address these issues that affect the quality and quantity of rental housing in a fair and balanced way.

This Bill provides for a maximum security deposit of up to a full month's rent, to take effect on October 1, 1997. However this new maximum will not apply to existing rental arrangements where the tenant already occupies the premises as of October 1, 1997. The new amount will only apply to new tenancy arrangements entered into after October 1, 1997.

You should know as well, Mr. Speaker, that this Bill makes it an offence to terminate an existing tenancy agreement for the purpose of obtaining an increased security deposit. In other words, a tenant cannot be evicted on October 2, 1997, so that an unscrupulous landlord can enter into a new tenancy agreement and thereby obtain the higher security deposit.

Mr. Speaker, we know that most tenants are very responsible in their tenancy agreements with landlords. However, landlords can face high costs when damage does occur to their rental premises or a tenant leaves without paying rent.

The \$125 maximum security deposit has been in effect since 1981. This was reasonable at that time. But now, 16 years later in 1997, this maximum is no longer sufficient.

Mr. Speaker, I recognize that this new maximum security deposit may be difficult for some tenants. Therefore several measures are being introduced to moderate the impact upon the tenants. These provisions include allowing a tenant to pay the full amount of the new security deposit, allowing them time to pay the full amount, implementing provisions to ensure that the tenant receives the security deposit refund to which he or she is entitled in a timely way, and reversing the onus from the tenant to the landlord to apply to the Rentalsman if there is a dispute about a security deposit. At present such disputes go to the Office of the Rentalsman only on the application by the tenant.

Mr. Speaker, I would like now to address the provisions for the tenant to pay the security deposit in instalments. Under this Bill a landlord may require no more than 50 per cent of the security deposit at the beginning of a tenancy. The remainder of the

security deposit is not required to be paid for two more months. This will reduce the impact on the tenant of having to pay the full amount of the security deposit upon entering into a new tenancy agreement after moving to a new rental location. It provides the tenant with time to pay the second instalment after the tenant has received any refund to which the tenant is entitled from the previous landlord.

The Act currently requires a tenant to apply to the Rentalsman if the landlord has not refunded the security deposit within 10 days of the end of a tenancy. Tenants may not be aware that they are required to apply for a refund and some may not know how the process works. The onus has been on the tenant to pursue the landlord for the security deposit.

It is important to point out, Mr. Speaker, that we have made amendments in the Act to ensure that a tenant now receives the refund within five days after ending their tenancy. These new provisions require the landlord to return the security deposit to the tenant within five days after the termination of a tenancy. I would like to stress that in many instances this is exactly what landlords already do.

However under the present Act, in those circumstances where landlords do not refund the security deposit to the tenant in a timely fashion, it is the tenant who has to take steps to have their security deposit returned. This is inconvenient and unfair to the tenants. This Bill will reverse the onus from the tenant to the landlord and make the landlord show why they should keep all or part of the security deposit.

In addition, the process of handling disputes about the security deposit has also changed. It is now up to the landlord to make a claim against the security deposit where the landlord alleges that there has been damage to the rental property and the tenant does not agree that the landlord has a claim or does not agree with the amount of the claim. In this situation the landlord will have to apply to the Rentalsman for a hearing to resolve the matter. The landlord will also, in these instances, be required to pay into the Office of the Rentalsman the application fee, the security deposit, and interest on the security deposit until the dispute is resolved.

(1445)

There are also new provisions, Mr. Speaker, to address the situation where the landlord has not refunded the security deposit within these five days and the tenant has not agreed to the landlord keeping all or part of the deposit. In this case, the tenant may apply to the Rentalsman for an order with respect to a refund without paying the application fee. In these situations, the Rentalsman will make an order requiring the landlord to refund the security deposit to the tenant. The landlord must comply with that order.

In cases where the landlord has a claim against the security deposit for damages for unpaid rent, the landlord may still make an application to the Rentalsman for an order against the tenant. This application can be made after the landlord has provided the refund to the tenant.

The Bill recognizes that a landlord may, in exceptional circumstances, fail to comply with the five-day time limit in which to return the security deposit to the tenant. In some cases, it may be unfair for an order to be made against the landlord for failing to comply. Provision is made in the Bill for the Rentalsman to take this into account.

The Bill contains provisions with respect to these exceptional circumstances. It states that such circumstances may exist where renting residential premises is not the primary business or activity of the landlord, this is the first such application involving this landlord, and the landlord unintentionally failed to comply.

Furthermore, the Office of the Rentalsman will render decisions regarding entitlement to the security deposit within 60 days of the termination of the tenancy. This will ensure tenants have whatever refund they may be entitled to by the time they are required to pay the second instalment to their new landlord.

A further enhancement in this Bill will enable the Rentalsman, with respect to a security deposit, to make an administrative order in favour of a landlord. Such orders may be made in cases where the landlord is unable to find the tenant to serve the tenant with a notice of the hearing before the Rentalsman respecting a security deposit.

The landlord will have to show that he or she is entitled to retain all or part of the security deposit and that reasonable efforts to locate the tenant have been made. These orders will become final after 120 days unless the tenant makes an application for a refund.

In addition, I am pleased to advise you, Mr. Speaker, that the changes we are introducing in this Bill will be sensitive to the cost of the Social Services budget. The amendments to The Saskatchewan Assistance Act provide for the Minister of Social Services to pay security deposits for people on social assistance at a future date, rather than paying the deposits at the time of a new tenancy arrangement.

This change has been recommended by many landlords and others for some years. It offers the protection the landlord needs while ensuring that security deposits paid by Social Services will be limited to instances where the landlord has a claim against a tenant who is on assistance. Unless exceptional circumstances exist, Social Services will collect back as an overpayment any money it pays out as a security deposit. Exceptional circumstances will be spelled out in the regulations.

Mr. Speaker, I believe these new measures address landlord concerns with respect to the inadequacy of the current security deposit. At the same time these measures offer fairness for tenants with respect to their security deposits. Where tenants comply with the agreement they had with the landlord and are entitled to a refund of their security deposits they will receive it quickly. Also if there is a dispute about a security deposit the onus will now be on the landlord to make the application to the Rentalsman.

These are the major policy changes in this Bill. I believe these new approaches successfully address long-standing concerns with respect to security deposits. I believe the amendments offer fairness for all, and the amendments improve access to justice for tenants.

Mr. Speaker, I move second reading of An Act to amend The Residential Tenancies Act and to consequentially amend The Saskatchewan Assistance Act.

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

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, I am pleased to be able to speak to the second reading of Bill No. 29 — The Residential Tenancies Act, and the consequential amendments to The Saskatchewan Assistance Act.

I would like to congratulate this government for making the improvements to this Act. The landlords and others in this province surely feel that these changes have been long overdue. While I feel that the Bill has its merit, there are some concerns that I would like to mention that have been brought to my attention by residents of this province.

I'd like to begin by clearing up some of the myths about rental properties, tenants, and landlords in this province. In spite of all that has been said, we must recognize that not all tenants are irresponsible and that not all property owners are slum lords and that not all properties are left in disrepair and require large amounts of money to clean up before they can be rented again.

It should be noted that according to the Rentalsman of Saskatchewan, only 20 per cent of all tenant-landlord relationships experience problems that require settling by mediation processes involving the Rentalsman. These disputes generally come from both sides and are not just attributable to irresponsible tenants, though the majority of complaints do come from landlords. Disputes also revolve around rent in arrears and claims of damaged property.

I am pleased to see that The Residential Tenancies Act will now give landlords and tenants some much-needed assurance when renting properties. First, landlords will now be able to charge up to one month's rent for a security deposit, although it has taken years for this government to realize that there was a serious problem.

A little persuasion, Mr. Speaker, does go a long way. Maybe having one Saskatoon landlord dump a truckload of one tenant's abandoned belongings at the Premier's constituency office helped to make the point. Or possibly it was the landlords' decision to pull vacant housing off the market to protest the government's lack of action on this issue last year.

Mr. Speaker, the Act also provides a provision to ensure that landlords will not be able to evict a tenant for the purpose of increasing the security deposit. While I am sure that there will be few landlords who will try to evict present tenants so that they can take advantage of the new agreement, when the case does arise, it needs to be investigated. I would like the government's assurance that they will monitor these situations

carefully as October 1, the date of enactment of this Act, approaches quickly.

Mr. Speaker, I do have some concerns . . . or a few more concerns with this legislation in the form of questions again brought to my attention. How does this Act affect low income families and seniors on fixed incomes? Can the government ensure that these cases will be looked at as they arise? The Act shouldn't bar people from moving to a better environment and trying to make a better life for themselves.

The new Act goes on to ensure that tenants will receive their damage deposit back from their former landlord quicker than before — in five days rather than the previous ten — as long as there are no charges against the tenant.

Mr. Speaker, this Act puts an extra burden on the Rentalsman, who must handle the possible increase in the number of complaints. For when a grievance is filed, the turnaround time for the return of their damage deposit from the former landlord will now be 60 days. This ensures that the tenant will be able to make the second payment of the new security on time. But again this is an added time commitment for the Rentalsman.

For many lower income individuals and families, this is an important addition to this Act because it ensures that when a conflict arises before the landlord and tenant the hearing process is sped up and speeding up the bureaucracy is something we would all like to see, at least on this side of the House. But I also have to ask what will be done to ensure that the Rentalsman is not overburdened with added cases and that the system does not slow down.

But regardless, this new and improved Act will undoubtedly make both landlords and tenants more responsible. Many of the complaints that were expressed by landlords over the past year were that low income tenants who had their rent subsidized through social assistance were leaving their rental units in unacceptable condition. At least on one occasion it was reported that a landlord would have to sell the property to recoup some of the costs of the damage that had been done.

The fact that landlords will not be receiving a damage deposit from either the tenants in this case, nor the Department of Social Services, is disturbing. The new Act allows for damages to be paid directly to the landlord when damage is reported, and then damages may be deducted from the welfare recipients' benefits in instalments. Hopefully this will put more onus on all tenants to leave their residence in good condition.

Some other concerns brought to my attention are that landlords will refuse to rent to welfare recipients in order to ensure that they, the landlords, receive a security deposit rather than trying to deal with a government bureaucracy and that landlords may charge the government for frivolous expenses and take advantage of the system. For example, one case reported this year where a student was charged \$15 for forgetting to clean behind the stove and \$25 for not cleaning out the patio door rails.

We must keep in mind that the purpose behind this new Act is

to make both the tenants and the landlords more responsible. Some possible suggestions I have is to have Social Services inspect the housing prior to recipients taking up residence, or possibly have the recipient or the landlord submit a report on the present condition of the property. This would ensure that damage that existed prior to the tenant's departure isn't unnecessarily charged to the social service recipient.

Mr. Speaker, I also have a concern regarding housing that is not fit for people to live in. The past year has seen a number of people being evicted from their rented properties — because the properties were found to be not up to public health standards — many of whom are on social assistance. This is something that you would expect only in much larger cities, but it is happening here.

At present, properties that do not meet public health standards are not reported to the Rentalsman by the public health district in Saskatoon nor in Regina. The Rentalsman in Regina receives a letter regarding any property that has been condemned, but not if the property does not meet public health standards. Furthermore, the list of housing that does not meet health standards cannot be publicly published. People may inquire as to whether a property is on the list, but few do.

What good is it to have a list of unfit housing when no one knows the list is available? Presently in Saskatoon and Regina there are about 30 properties in each city that are on this list. While the list is fluid and always changing, a simple fax would be all that is needed to inform the Rentalsman, Social Services, and other agencies in these cities to ensure that the public is aware of housing that is not fit to live in. In fact in Saskatoon this kind of system has been implemented. Even a phone recording system, which has been one suggestion, would be a step in the right direction.

The one drawback of the present system too is that the health boards are not the only ones who contribute to the list. There are other agencies that have a list of condemned properties. This is where the government may need to step in to take a leadership role and coordinate a compilation of these lists. It's in government's own interest and best interest to ensure that people are not living in substandard housing.

A final point is that both Saskatoon and Regina have vacancy rates in the 1 per cent range; Saskatoon actually even lower than that. With housing rents rising, and predictions are that they will continue to rise in the future, what is the government doing to ensure that there is enough housing in the market-place to keep rents at an affordable rate?

While the province continues to become more urbanized and new people are migrating to the province, there will continue to be a shortage of low cost, multi-unit dwelling. According to Earl Mireau, spokesperson for Equal Justice for All, the housing market in Saskatoon is in a crisis state, with vacancy rates below 1 per cent. It is obvious there is not enough affordable housing in the city.

So does the province have any plans to provide much-needed incentives to contractors to encourage much-needed multi-unit

residential building construction? As I recall, the feds in the early '80s provided a 10 per cent write-off on these buildings. That move encouraged some companies to construct over 1,200 units in Saskatoon at that time, which coincided with the time of increased growth in the city.

Saskatoon is now experiencing the same situation. Maybe it's time for this government to step in and provide these kind of incentives as an indirect form of rent control. The spin-offs could contribute much to job growth in the construction industry, that is as long as none of the Crown corps are involved.

In conclusion I am glad to see that the government has finally taken a step in the right direction; although it has been a long time coming. But, Mr. Speaker, we would like to scrutinize the Bill even closer and so I move to adjourn debate on this issue.

Debate adjourned.

(1500)

### **Bill No. 23 — The Enforcement of Canadian Judgments Act Loi sur l'exécution des jugements canadiens**

**Hon. Mr. Nilson:** — Mr. Speaker, I rise again today to move second reading of The Enforcement of Canadian Judgments Act. This Bill is based on a Bill prepared by the Uniform Law Conference of Canada for introduction in each of the provinces and territories of Canada. The Bill is intended to provide for standard rules throughout Canada for the recognition and enforcement of out-of-province judgements.

This is the process whereby, for example, a judgement from a superior court in Nova Scotia could be enforced in Saskatchewan. Conversely, it would allow a Saskatchewan judgement to be enforced in Nova Scotia. The goal of course, is to avoid the expense and delay of having to retry a matter in its entirety in a new jurisdiction.

Mr. Speaker, the central element of this Bill is, to use the words of the Supreme Court of Canada, to provide, quote, "full faith and credit" in the recognition and enforcement of judgements between provinces and territories in Canada. This Bill implements a process whereby a judgement creditor will be able to register an out-of-province judgement in Saskatchewan and have it enforced in Saskatchewan as if it were a judgement of a Saskatchewan court.

Previously, under The Reciprocal Enforcement of Judgments Act, enforcement in the new jurisdiction could be challenged on a number of grounds. Under the new uniform Bill, the grounds on which a court could refuse enforcement of a registered judgement are limited to: first, the grounds on which the court would refuse to enforce a similar judgement made in Saskatchewan; second, where the debtor is taking steps to set aside the judgement in the original jurisdiction; third, where an order staying or limiting the effect of that judgement has been made in the original jurisdiction; or fourth, public policy reasons.

It should be noted that the Bill applies to the enforcement of money judgements only. It does not apply to out-of-province judgements regarding property. It also will not apply to family maintenance and support payments or to Criminal Code fines. Interprovincial enforcement in those areas are already the subject of separate legislation.

Mr. Speaker, this Bill seeks to streamline the enforcement of judgements between jurisdictions. It will minimize the need for expensive enforcement and judicial proceedings to be repeated between provinces or territories. Once the uniform Bill is in place throughout Canada, a Saskatchewan resident who has taken a matter to court in Saskatchewan and received a judgement in his or her favour will not have to start the litigation process all over again when the debtor moves to another province or territory. This is an unnecessary expense and one which is inconsistent with the legal principle of full faith and credit.

Saskatchewan will be joining with British Columbia and Prince Edward Island in passing this uniform legislation. Once a sufficient number of other provinces and territories follow suit, these Acts will be proclaimed. Then the benefits of a uniform procedure for the enforcement of out-of-province judgements will be in place throughout Canada.

Mr. Speaker, I move second reading of An Act respecting the Enforcement of Canadian Judgments.

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

**Mr. Osika:** — Thank you, Mr. Speaker. It's my pleasure to just stand in the House today and make some comments about The Enforcement of Canadian Judgments Act. And it appears to us that in fact this seems to be relatively non-controversial legislation and must be considered in its entire, proper context, Mr. Speaker. And although there may be some aspects of this legislation that needs to be a little . . . with a little more review to closer scrutinize some aspects of the legislation, I would ask that we adjourn debate on this particular Bill at this time.

Debate adjourned.

**Bill No. 24 — The Court Jurisdiction and Proceedings Transfer Act/Loi sur la compétence des tribunaux et le renvoi des instances**

**Hon. Mr. Nilson:** — Mr. Speaker, I rise again today to move the second reading of The Court Jurisdiction and Proceedings Transfer Act. This Bill is also based on a Bill prepared by the Uniform Law Conference of Canada for introduction in each of the provinces and territories of Canada.

This Bill has four main purposes. First, to introduce standard rules in Canadian courts for determining jurisdiction over a matter; second, to coordinate Canadian jurisdictional rules with the principle set out by the Supreme Court of Canada in the Morguard case; third, to complement The Enforcement of Canadian Judgments Act by providing uniform jurisdictional standards; and finally, to introduce for the first time a mechanism by which superior courts of Canada may transfer

litigation to a court in another jurisdiction when the receiving court accepts such a transfer.

Mr. Speaker, we live in an increasingly mobile society. The existing process by which superior courts in Canada determine jurisdiction and transfer proceedings between provinces is certainly inadequate. Currently, where a complex, interprovincial matter is brought before a superior court and that court is asked to determine if it is the proper jurisdiction in which to hear the matter, the parties to that matter may simply be told that they have to start the lawsuit all over again in another province because that court lacks jurisdiction.

This uniform Bill will address this expensive and time-consuming problem by making the rules by which a court determines jurisdiction clear and uniform throughout Canada. The Bill will also introduce a process whereby a matter may be transferred between superior court jurisdictions without requiring the parties in that litigation to recommence the litigation.

Jurisdiction for a court would be determined by such factors as whether the person has submitted to the court's jurisdiction, whether there is agreement between the parties that the court has jurisdiction for that litigation, whether the party is ordinarily resident in that jurisdiction at the time of the commencement of the proceeding, and whether there is a real and substantial connection between the jurisdiction and the facts on which the proceeding against that person is based.

Transfers between courts in different jurisdictions would be allowed when the receiving court has the necessary jurisdiction as outlined above and it agrees to hear the matter. The factors to be considered include the comparative convenience and expense to the parties and their witnesses in litigating in that court, the law to be applied to the issues in the proceeding, the desirability of avoiding a multiplicity of legal proceedings, the desirability of avoiding conflicting decisions in different courts, the enforcement of any eventual judgement, and the fair and efficient working of the Canadian legal system as a whole.

Mr. Speaker, in essence this Bill will introduce a process by which Canadian superior courts may communicate with each other to ensure that a matter is heard in the appropriate jurisdiction. Rather than requiring the parties to start over in another province or territory, the court may ask the receiving court in the appropriate jurisdiction to accept the transfer of the proceedings and to proceed from that point. This avoids duplication of effort and saves time and expenses, both for the parties to the litigation and for the court system itself.

Mr. Speaker, this government and this Assembly have long been supporters of uniform Bills such as this which seek to provide consistent, reasonable, and uniform rules and procedures throughout the Canadian provinces and territories.

In our view, Canadian courts should be able to communicate with each other in this manner, based on uniform rules and procedures.

I would invite this Assembly to join me in supporting the

Unified Law Conference of Canada in their effort to simplify and streamline the litigation process.

Mr. Speaker, I move second reading of An Act respecting Court Jurisdiction and the Transfer of Court Proceedings.

**Mr. Osika:** — Thank you, Mr. Speaker. I'm pleased to be able to make some remarks and some comments with respect to Bill 24. And I appreciate the Minister's comments and efforts with respect to making an attempt to ensure that there is parity, there is accessibility, for people who find themselves in the justice system, and having to use the facilities of the justice system to take care of affairs or matters or issues that affect their lives and perhaps may affect other people's lives.

We have spoken on this side of the House, of the importance of ensuring that there's parity and availability of the judicial processes to all people in an equitable and fair manner. It is never the intention, I would hope, and I am sure, of laws to be made that would hinder, as opposed to allow access . . . accessibility and due processes to occur in a meaningful and timely manner, and not at any hindrance or expense to the people that need to use that system.

I believe what this Bill will do is provide some parity, some uniformity, and more easy access to processing some of the legal matters that people find themselves involved with. There may be some issues of this particular Bill that need to be addressed specifically; however I feel that we are quite comfortable we will be able to address those in Committee of the Whole.

And I just want to make one final comment, Mr. Speaker, that it is our intent to ensure that whatever Bills are passed that affect the people of Saskatchewan, and in effect if they as well spill over to other provinces which may include or involve people who have left Saskatchewan and gone to other provinces and become involved in some sort of judicial requirements that they need to access the availability of these sources without undo financial burdens, then we are not opposed.

However as I mentioned, we will be able to look at that Bill more closely section by section in Committee of the Whole, and therefore I move that the Bill be passed to Committee of the Whole.

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

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

## ADJOURNED DEBATES

### SECOND READINGS

#### Bill No. 28

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Nilson that **Bill No. 28 — The Family Maintenance Amendment Act, 1997** be now read a second time.

**Mr. Hillson:** — Thank you, Mr. Speaker. The last date I entered into this debate I spoke about the need of predictability and standardization in our legal system. While each case and each set of litigants are no doubt individuals and present special circumstances to the courts, none the less having conceded that, it is important that similar factual situations attract similar results.

This has unfortunately been lacking from family maintenance and child support awards in our province. And this, I am convinced, is one of the reasons for bitter separation and divorce and for ongoing battles about access and visits with the children. So I am hopeful that with standardization we will see other matters which come about as a result of a separation will be settled more amicably. I am also satisfied we will see a higher rate of settlement as opposed to litigation.

(1515)

Mr. Speaker, a generation ago about 80 per cent of child support orders were in fact never paid on. This was of course primarily a great hardship for the custodial parent — usually the mother — and for the children. But it had another problem which has now come back on the non-custodial parent, usually the father.

Namely this — a lot of child support orders that were totally unrealistic and out of the ball park got registered in default; that is, without the participation of the father, without the father's income even being known by the court. Consequently, when the enforcement was improved, and I'm glad to say it was improved, but when it was improved we had the maintenance enforcement office of our province chasing some fathers for child support orders that were totally and completely unrealistic. This is a waste of government resources.

I am happy about the establishment of the maintenance enforcement office. Certainly it is a well-needed reform in our province. And I am happy that child support orders are being honoured in a higher and higher number of cases. None the less, the first step in a firm maintenance enforcement system is to ensure that the child support order is realistic in the first place. To burden the maintenance enforcement office with the enforcement of unrealistic orders serves no useful purpose to anyone.

Again, by adoption of the family maintenance tables as proposed in this legislation and as proposed throughout Canada, will hopefully mean that child support orders will in the first instance be reasonable. And when they are reasonable, we will have standardization. Parents paying and parents receiving child support will at least know that other parents in similar situations are in the same position as them and receiving or paying the same order. They will therefore not have reason to be angry and bitter because they are paying or receiving far more or less than other parents they know of.

Mr. Speaker, this is indeed an advance in family law in our province. I think it is an important advance and I agree that standardization and predictability in the area of child support is long overdue. However, there are still other matters in this Bill

which I know are of interest and concern to other members of this House and I will wait eagerly to hear their comments on the same.

**Mr. McLane:** — Thank you, Mr. Speaker. It is indeed my pleasure to enter this debate today, albeit a very short one. And I would ask that we adjourn debate.

Debate adjourned.

(1530)

## COMMITTEE OF FINANCE

### General Revenue Fund

#### Justice

#### Vote 3

**The Chair:** — I would ask the minister to please introduce his staff.

**Hon. Mr. Nilson:** — Thank you. At the present time I have with me: Mr. Dick Till, who is the director of corrections; Betty Ann Pottruff, who is the director of policy planning and evaluation; Elizabeth Smith, who is the director of administration services; Brent Cotter, deputy minister; and Tammy Pryznyk, who's executive assistant to the deputy minister.

#### Item 1

**Mr. Hillson:** — Thank you, Mr. Chairman. First of all it is my pleasure to welcome the minister and his officials this afternoon and to thank the officials for their attendance. I would also like to take this opportunity to say that I personally, and members of the Liberal opposition, are satisfied that those administering justice in our province are competent, committed, capable, and dedicated individuals who are doing their best under what is sometimes trying and difficult circumstances.

I would also like to say that I appreciate some of the initiatives that the Minister of Justice has undertaken regarding the reconciliation of aboriginal people to the justice system and also to make the justice system more relevant to persons of non-European backgrounds.

I think that our system of law, of course, has developed over many, many centuries and I personally believe that it is sufficiently flexible to make allowances and to make accommodations for different backgrounds and different practices. I personally do not think that sentencing circles are, for example, an abrogation of our criminal law, but a complement to it.

And I believe that they can in fact be side by side with our traditional justice system. And this does not amount to two-tier justice, nor does it amount to different rights and obligations for different citizens, which would of course be unacceptable in any modern, democratic society.

I also appreciate some of the initiatives of the minister in such areas as restorative justice. But if I may say, well I am in

agreement with the minister that simply hauling people into court and then from court into jail, oftentimes doesn't result in the rehabilitation and the safer communities we all want.

I must confess that I have a bit of a problem with the term "restorative justice" in the sense that it may promise something to the people of Saskatchewan which is not delivered. Namely that the sad reality is in many, if not most, cases the justice system does not restore. The justice system so often is like the emergency department which deals with the results of the accident after it has occurred.

But to suggest that a person who has suffered a sexual assault, or a serious assault, or even their house being rifled and personal belongings stolen, to suggest that they can be restored is a misnomer, and it may hold out a false promise. The justice system must deal with offences as best it can. But the sad reality of life is that we are not able to put people back in the same position as if the tragic incident did not occur.

The reality is that most offenders too will be, at some point in time, reintegrated into the community — we hope as better citizens. Jail has not always resulted in these better citizens, as we all know. But there is, as I say, a certain danger that if our justice system advertises itself as restoring the community to where it was before, it may be holding out a promise which in the end simply is not fulfilled.

Nonetheless as I said, I look for the flexibility of some of these new initiatives. Adult diversion, sentencing circles, and restorative justice all hold out alternative measures for dealing with offenders which I think we have to explore because we know that the traditional means of dealing with offenders has not always been successful. We also know that in states of the United States where three-strikes-and-you're-out laws have been enacted, it has resulted in certainly a burgeoning industry in corrections and penitentiaries and in the justice system, but has not in fact resulted in safer communities.

Having said that, Mr. Chairman, I would first of all like to ask the Hon. Minister of Justice, we have on our order paper legislation regarding youth justice committees, and I would like to ask of the minister how many youth justice committees there are in the province that the minister has appointed. How many appointed youth justice committees do we presently have operating under the appointment of the minister? And if he could explain how these will be augmented by the legislation presently on our order paper?

Thank you, Mr. Chairman.

**Hon. Mr. Nilson:** — I'll respond to the question first, then make a couple of comments about your comments. The youth justice committees — none of them have been formally appointed. Part of the reason for that is that the whole area of youth justice is a shared responsibility with the Department of Social Services and the Minister of Social Services and his staff have been working.

We have a number of youth justice committees that are operating in informal ways. They haven't been appointed under

the legislation. We also are in the process of developing that whole scheme throughout the province. So practically, the whole youth justice system, we don't have the formal ones appointed.

While I'm on my feet, I'd just like to comment on your comments about restorative justice and say that I agree with the thrust of your concern about the word "restorative." And what I will say though is that in this whole area when one talks about how one changes the way the justice system deals with people . . . And I also confirm your concern that the justice system be one justice system that brings in all the things that are necessary to include all of the people in our community — therefore the sentencing circles and the moves towards family conferencing, and things like that.

But when you talk about restorative justice the concept relates to how does one work to restore the harmony that may or may not have been in the community. Other words are used that further clarify how this term is used. A term now being talked about is satisfying justice — the community has satisfaction that the right thing has been done.

Another term is transformative justice — justice that transforms or changes or deals with the problems and the concerns that arise where harm has been done.

But I think one of the key points when we use the term restorative justice is to recognize that what we are attempting to get at is the fact that we are condemning behaviour of individuals, not the individuals themselves. And it's a key clarification because it allows for us to recognize that often individuals get into trouble, we condemn what they've done, but we don't necessarily write them off as individuals. And once you have that concept in your mind when you're dealing with issues throughout the justice system, it changes some of the perspectives on how you do things.

**Mr. Hillson:** — Mr. Speaker — I meant Mr. Chairman — may I then in turn comment. It seems to me all of these modern phrases and all this terminology that's being bandied about really comes down to the issue of public confidence. That's really what we're talking about — public confidence.

And of course there are many faces to public confidence. It means that those who are victims of crime believe that the situation will be dealt with by our justice system. It means that offenders by and large accept that their punishment is fair and something they have brought on themselves. It means that people who have not been involved directly in the justice system have confidence that the correct decisions are being made and the correct steps taken.

Now of course much has been written that we simply live in a less deferential age than we used to. So certainly one of the problems the justice system has to deal with is the fact that a generation ago there may have a tendency to think that well, if a judge or a lawyer or whatever or a police officer said something, then that must be right.

We don't have that same mentality today, but may I

respectfully suggest to the minister that to try to openly deal . . . and discuss in public some of the issues which are clearly of public concern in Saskatchewan should not be interpreted and advertised as making me a bad member of the law society, disloyal to my profession or my province; that one of the hallmarks of a democratic society is that we can discuss where we think our institutions can be improved while nonetheless being loyal to those institutions. And I believe that is the principle and the underlying philosophy contained in the phrase, Her Majesty's Loyal Opposition. The people attempting to deal with some of, some of the problems and what we see as perhaps some areas that could be corrected are not traitors.

May I come back however to the question of the youth justice committees.

(1545)

When I asked a couple of weeks ago if the youth justice committees were a response to the Liberal request for a youth justice task force, the response I received at that time from the Hon. Minister of Social Services was that I should wake up, that in point of fact these youth justice committees are operating all over the province.

So I was surprised to hear the minister this afternoon say that, well although there are some informal committees, in point of fact in the 15 years the Young Offenders Act has been out there, none had been appointed pursuant to the Young Offenders Act and only now is this section being activated.

And I would ask the minister if he could tell us if this is now being moved on because of the petitions from the Liberal opposition and members of the public asking for the establishment of a youth justice task force.

**Hon. Mr. Nilson:** — I would like to thank the member for an opportunity to respond to his comments about being loyal opposition, and I am totally appreciative of the opposition being loyal. But I think the point I was trying to make is that when you are dealing with issues in an opposite way — if I can put it that way — you have to, as the paper said today, make sure any comments are based on fact and not attempts to make political points. That's all I was trying to get at.

Now as it relates to the youth justice committees, as you know they are possible creations under the Young Offenders Act, section 69, which is federal legislation. What we in Saskatchewan have done and what my colleague, the Minister of Social Services, was referring to are the fact that we have local working committees that are involved with our Saskatchewan's action plan for children and with the restorative justice strategy. And they involve a broad level of community membership — police, community leaders, representatives from the Department of Justice, from the Department of Social Services, various youth outreach agencies, Metis and first nation organizations.

And through these various organizations throughout the province we're attempting to deal with some of the questions that you have raised as opposition. And we are very clearly

concerned that we involve the parents, the victims of crime, as well as the other members of the community, in attempting to deal with these situations so that we make sure that especially the young people are accountable for what they have done.

**Mr. Hillson:** — Mr. Chairman, I spoke about sentencing circles a moment ago, and I would like to ask the minister if he could tell us, at least in approximate numbers, how many sentencing circles were held in the province last year and if he could give us some indication of where those sentencing circles were held.

**Hon. Mr. Nilson:** — Thank you. The sentencing circles are predominately held in the North, and the communities that are listed for me are Sandy Bay, Dillon, Ile-a-la-Crosse, Stanley Mission, Cumberland House. We've also been having some now more recently in the southern reserve and urban settings — Poundmaker, Prince Albert, Saskatoon, Regina, Piapot, Saulteaux, Kinistin, Day Star, and Ochapowace first nations. So those are some of the locations where they have been held. I don't have an exact number for last year.

One of the difficulties in this area has been that the impetus for sentencing circles has been at the direction of the Provincial Court judges. And early on the Provincial Court judges made it clear that they did not want to keep a full record of all the sentencing circles.

Over the last number of months we have worked out more of an arrangement whereby the chief judge is keeping track of these sentencing circles in a much more formal way. We still have, obviously, the records of all the cases but they're not kept in a way that can answer questions on a day-to-day basis. The number over . . . since we've started this process would be about 260.

**Mr. Hillson:** — 260. Over what period of time are we speaking?

**Hon. Mr. Nilson:** — The first sentencing circles were started, I think, late 1992-93, so it's over the last four years. And obviously in the first years there weren't very many because this was something that was new and in the last year, year and a half there have been more.

**Mr. Hillson:** — Mr. Chairman, I also said a few minutes ago that my own personal view is that sentencing circles are complementary and can stand beside our traditional justice system, rather than being in conflict with it. As we know, there are some people who view sentencing circles as a first step to a separate justice system which would see the rights and obligations of citizens dependent on racial classification.

I wonder if the Minister of Justice would clarify which of those two philosophies he personally adheres to.

**Hon. Mr. Nilson:** — Well I think I've said in this House on a number of occasions that we have one justice system for Saskatchewan, which includes all of our citizens. And that's the position that we have as a government. But what we are doing is making sure that those people who feel left out of the system have some way of access into the system.

And I think I should just tell you briefly a bit about the visioning process and the strategic plan process that the Department of Justice went through a number of years ago. And out of that process, which was extensive discussion within the department, a vision was set out.

And a vision is set out in this simple sentence: the vision of the Department of Justice of the province of Saskatchewan is to have a fair and equitable and safe society, supported by a justice system that is trusted and understood. Such a system is respectful of and responsive to diversity, individual and collective rights, and changing public expectations and community needs, including the needs of aboriginal people.

And that framework allows us to work as a department and as a government to try to make this vision a reality in Saskatchewan, and to create a justice system that meets the needs of the people of Saskatchewan. But as with any vision or goal, it's something that's that which we work toward, and there are often things which end up pointing out that we haven't reached or attained that goal.

**Mr. Hillson:** — Mr. Chairman, to switch topics for a moment. The victim impact surcharge, I wonder if the minister could give us some indication of how much has been collected through the surcharge since it was instituted I think about five years ago approximately. And also if the minister would be good enough to give us some indication of how much of the funds have been spent on programing, how much have been spent on direct compensation of victims, and how much has been retained in trust. We of course have the amendments before us at the present session, indicating that the Public Trustee will become responsible for funds which continue to be held in trust.

So those are the three broad categories. If there are others the minister requires in order to answer the question, that's fine. But basically I'm interested in knowing how much was collected, what went to victims, what went on programing, and how much is still held.

**Hon. Mr. Nilson:** — Mr. Chairman, approximately \$1.8 million was collected on a yearly basis. And on top of that there's interest that's accumulated on some funds that are I suppose accumulated because of the start-up costs or the fact that we didn't spend all the money as soon as it came in.

Of the money that comes in, at this time approximately 90 per cent is spent on programs. Out of the . . . You asked a specific question about compensation to victims. That works out to about \$300,000 per year.

The other amounts go into the various victim services programs. Some of them are community based. A number of them are the victim services programs that operate throughout the province and work quite closely with the courts and with the police.

**Mr. Hillson:** — I'll get back to that. But the last branch of my question was relative to the amendments we have before us now, so that the Public Trustee will hold the balance of the

funds. I wonder if you could elaborate on that for me.

**Hon. Mr. Nilson:** — Okay, the amendments to that Bill, basically where we are sitting right now is that we have a credit, I suppose, within the General Revenue Fund of about 3 point . . . or \$5 million. Or I guess the credit is actually invested.

And that money we know can accumulate a higher rate of interest if we pool it together with the Public Trustee fund. So we put the 3.5 million with I think it's about approximately \$100 million in the other Public Trustee fund, and therefore the money that generated in interest for victims will be increased because we have a larger pool of money.

And I think basically the changes to both the pieces of legislation that you've referred to this year are to allow us to do that as an administrative function, and it's simply that.

**Mr. Hillson:** — While I see the rationale of what the minister is proposing, I guess I'm concerned with two things that he has said. First of all, it strikes me that basically we allow funds to build up surpluses when we are anticipating increased pressure in the future. And building up surpluses is a way, of course, of eliminating the peaks and troughs. So if we think we are in a period of low demand it would make sense, obviously, to build up a surplus. When we are in a period of peak demand, then you might have to dip into that surplus.

So if I understand you correct, we have built up 3.5 million in surplus; we are paying virtually nothing in direct compensation to victims. That doesn't seem to square with me.

And I'd like to also say before I turn it back to the minister, that I know our victim impact coordinators are doing good work. I'm very pleased that they have been appointed. They are a good addition to the justice system. But I'm very disturbed that from the figures you have given me, we are paying out you can say, nothing, in compensation to victims, and we have built up a very substantial fund.

Now my concern isn't with turning it over to the Public Trustee, my concern is what is the rationale for saying we need 3.5 million in this fund?

(1600)

**Hon. Mr. Nilson:** — Okay. I appreciate your questions and I'll try to explain it. I think it does all make sense.

What happened is, when this victim surcharge was implemented, monies were generated. And as with all of the things that this government does, we're very careful in how we start up new things which we know will have long-term costs. Part of that relates to the, I think, firm hand of our Minister of Finance and the Treasury Board.

And what happened was that new victims' services programs, as you have known and used throughout the province, were established in a fairly careful way while in the meantime funds were building up. And in actual fact, the surplus in this fund at its peak was \$6 million. So we're now down to \$3.5 million.

At the present time if we go through, the documents will show that we're presently expending about \$2.5 million a year in this area. We have income from the victims' surcharges of 1.8 million, interest on our fund of about 300,000 or a little less. We're hoping to work with the changes we're making this year to make sure that stays at the maximum even in times when interest rates are quite low. And the net effect of that longer term plan is that this budget overage amount will be reduced each year over the next number of years.

And the idea, as you said before, is to make sure you're not in a position where your revenues from this victim surcharge are substantially less than what you're expending. But at the present time, what we are taking in is less than what we're paying out. And the net effect is that the surplus is being reduced.

**Mr. Hillson:** — Thank you, Mr. Chairman, for that explanation. However I would still put to the minister and ask him that while, as I have said, I am appreciative of the work of our victim services coordinators — I think they do good work — but does there not come a point where rather than simply increasing programing to use up whatever money is available, that some direct payment to victims would make a certain amount of sense.

And frankly and with all due respect, I think some of the people out there listening today will not be entirely happy to know that the victim impact surcharge, that practically none of it in fact goes to the compensation of victims in a direct sense.

**Hon. Mr. Nilson:** — Well all I can say to that is that the compensation is paid out based on claims by victims, and there are procedures for that. And that reflects I think your earlier comment about having a bit of a fund to deal with fluctuations in the claims. But at the present time, this year based on the claims that are received, that's how much is paid out.

And practically, I don't think that there's necessarily any kind of a cap . . . there is a cap that we have on how much is paid out to victims, but it does relate to the kinds of applications that are found.

**Mr. Hillson:** — Mr. Chairman, I would like to switch to the civil side for a moment if I may, and our Land Titles Offices. I understand that big changes are anticipated in our service delivery of our land titles system.

However, I would like to ask the minister how much is collected in land titles fees in a year and how much the land titles registry system costs us to operate. And if I may just add this before I sit down, I wonder if he would confirm that land titles fees are analogous in a sense, to the victim impact surcharge in a sense that they're not really government money, they are simply monies raised for a specific purpose to cover a specific purpose, namely the operation of land registration in the province.

But anyway, I'd like to know how much is collected by land titles fees in a year and how much is expended in the operation of our land titles system.

Mr. Chairman, if the minister wishes to take this opportunity to explain some of the changes that are coming in our land registration system, I'm sure that members of the House would be interested in hearing about that.

**Hon. Mr. Nilson:** — Thank you, Mr. Chair. What the member is referring to is the LAND project and I think what I can basically do is give an update on the LAND project. And this LAND stands for Land Titles Automated Network Development project, and this project which we began September 1, 1995 is expected to be implemented province wide from over 1999 to 2001. And it'll involve sort of re-engineering, radically rethinking and redesigning our land titles system, as well as automating the functions.

The project at this time is in its second phase, which is the preparation of conceptual design. We expect to have this conceptual design phase completed by September 30 of this year.

At the present time we're in extensive consultations with other government departments, agencies, lawyers and business people, the real estate industry, other users, interest groups, oil and gas people. And in this whole consultation the law society and the Canadian Bar Association have played major roles because they are people who have a major interest in how the system is developed, but also they have a lot of the skills and knowledge that will assist us in designing a system which is the best for Saskatchewan.

This system will be designed to accommodate a number of service delivery locations. The present locations will stay. It may be that we will end up with some other ones. We may also look at other modes of access to the system as well.

One of the things that is extremely interesting and important and in a sense very far-reaching about what we're doing is the fact that from the knowledge that we gained in developing our personal property security registry, we have some of the best conceptual ideas about how to set up a public access registry of complex information.

And we think that this new system will allow public access to information in a simpler way, a more responsive way. In other words we're looking at turnarounds for example on transactions within 24 hours on a consistent basis — 24 or 48 hours — which is something that we know for sure the real estate business has been very concerned about for awhile, and also for just many reasons will make it much easier to use as a system.

Another part of this which is being designed now relates to the fact that people will, if they have access codes and have access — primarily lawyers, realtors, business people, but it could include individuals if they are interested — would be able to have access to much of the information through their personal computer through a modem process. And this means that we're looking at really a 21st century system that we think will be the best in Canada.

And the reason I say that is that we know other provinces have already developed registry systems that have use of modern

technology, and they have been very gracious in providing us with information about the things they would have done differently if they were now working at developing a system. I think the other factor is that we have been very firm in deciding to do this over a longer term period. We haven't rushed into this and I think that this will allow us to do a job which we could all be proud of.

So what I would say is that I will be pleased to provide further updates on this as we proceed, but I think the important thing is that we're working towards a system that will provide public access and a very good system for all of Saskatchewan people.

You've requested information about the revenue and I'll just take this out of the books of the province. Basically in the . . . And I'll do the 1995-96 year because that's the last complete year that I have the actual records for. In that year the revenue was \$16.371 million.

The actual expenditures in the direct costs only — and I guess it's only salary and sort of the daily costs of administration, not the building costs or some of the other parts of the land titles system — for that year were \$5.642 million. So, you know, I'm not sure if I can make a rough estimate on the sort of the building cost, which is SPMC (Saskatchewan Property Management Corporation) area. But guess it's 1.5 to \$2 million, in that area.

The other factor which I think that especially we as lawyers know about is the whole question that we have a Torrens system in Saskatchewan which includes a public guarantee of title. And one of the factors always taken into account in the land titles system is that necessity of paying any claims. Fortunately we have a very good system and we don't have many claims; but we also have very large transactions that go through the Land Titles Office, and that is clearly another factor we have to take into account.

The other thing it doesn't include is the land project itself, and that's about \$1.5 million a year, which is the redevelopment of the whole land titles system.

**Mr. Hillson:** — Mr. Chairman, though, from what you have said, in rough figures then only about half of what's collected in land titles fees is in fact required for the operation of the system. Now as you say, there is a guarantee of title under our system, but in the entire history of Saskatchewan there have been, I think it's safe to say, virtually no pay-outs at all. So that's simply not a big factor.

So if half of the land titles fees are not used for the system, where do they go? Is this a hidden tax on young people buying their first home? Is this a tax on people buying a farm? I think the idea there was, that land titles fees were a fee, and I wonder if you could tell us if that's wrong? That it's not a fee; it's a tax.

**Hon. Mr. Nilson:** — Basically what we have in Saskatchewan is a contribution to the General Revenue Fund. These funds are used, obviously, for health, education, social services and interest on the public debt, I suppose are the top four items.

What I would say is that in comparison to other provinces ours is actually not as great a fee as in some other provinces. And so on a nation-wide basis this is a practice where there is a cushion there, and in this case you've identified the amounts is . . . I guess based on the figures that I gave you, probably 50 to 60 per cent goes back directly into that land title system.

(1615)

**Mr. Hillson:** — Mr. Chairman, in terms of the issue though of public confidence, would it not be preferable to draw a clear distinction between taxes levied to support the general operations of government and the services of government we all want, and fees which are levied for a specific purpose. And the mixing of those two concepts, it seems to me, erodes public confidence. When people are told this is a fee for a specific purpose, for instance recycling containers, and then we find that no, the money isn't used for recycling, it's thrown into general revenue, I think that erodes public confidence.

And here you're saying that, well fees levied to run the Land Titles Office, half of those go into general revenue. And I'm just wondering if there's an issue of public confidence here, and maybe we should call it the land titles tax if in point of fact it's a tax. But I really would like the minister to comment on the problem of mixing a fee with a tax.

**Hon. Mr. Nilson:** — I think some of the other provinces actually set a big fee as a land transfer tax. In Saskatchewan we end up operating our system in a prudent manner and make sure that we never get into a place where we expend more on the system than we take in.

Now what I would say is that the last number of years there's been increased activities, especially in the oil and gas area. And that increases dramatically the amounts of the fees that come into the system. And we've been feeling the pressure as far as . . . probably all MLAs know about how long it takes for some transactions to be completed when you are on a totally paper-based system.

But if we were in a situation where there was a dramatic reduction in activity in the land title system and we had fixed costs of say \$8 million, well we wouldn't want to be in a situation where all of a sudden our revenues were substantially less than that either. So we've been planning carefully — I hate to use this word — but maybe conservatively, but we're careful . . . (inaudible interjection) . . . Yes.

But practically, what I'm saying is that we've been prudent and you've identified that this is an area where there are contributions that are going to the General Revenue Fund and acknowledge that.

**Mr. Hillson:** — Well the fact that the government has adopted Conservative principles certainly comes as absolutely no surprise to my colleagues and I. It's something we've known for a long time, but it is gratifying none the less to hear the minister acknowledge it.

However, coming back to land titles fees being a tax, I

understand in the province of British Columbia — where there is an acknowledgement that there is a tax on land transfers — it is therefore placed on the seller as opposed to the buyer.

Now if land titles fees are going to be a tax, does it not make sense to levy them against the person who is actually pocketing money as opposed to, as I say, the person trying to start a farm, the person trying to buy their first home; that the province levies a big charge against them, say only half of which is required for the service and the rest of which you get . . . apparently gets thrown into general revenue?

**Hon. Mr. Nilson:** — Well I think each province has a different way of administrating it. And I know, and I'm sure you know from many years of practise, that it was quite often that arrangements were made to either split the land titles fees or it would be that the vendor would pay for the land titles fees.

So I think practically, that's an administrative choice we've made in Saskatchewan. People who are involved in land transactions can make whatever arrangements they want as to who would pay the fees, and that's another way of doing that.

**Mr. Hillson:** — Mr. Speaker, or Mr. Chairman, many people in the Kerrobert area were extremely disturbed when one of the historic buildings of this province was closed. And its offices were denied even to other government agencies that were moved out of the community. And of course the court-house in Melville was closed.

We hope that these have nothing to do with the way those communities have voted. We trust that's not the case. But in news reports about the closure of Kerrobert and Melville, there were media reports to the effect that there could be as many as 70-plus other court closures contemplated.

Now I see the hon. member for Lloydminster finds that concept hilarious, but I know that there are people out there in small town Saskatchewan who are very disturbed by these reports. They're wondering if their court is going to be taken away from them. And they're not laughing, Mr. Chairman.

I wonder if the minister could tell us if those are false rumours or if that is in fact on the back burner, being contemplated by the government.

**Hon. Mr. Nilson:** — Well it's once again one of these questions of facts and relying on the researchers that seem to be available on that side of the House. But we don't even have 70 court-houses in all of Saskatchewan, so I'm not sure where that information came from.

We have no closures contemplated at this time. Where increasing needs arise, we are actually setting new circuit points, for example, for Provincial Court. That's done by the chief judge in consultation with officials in my department. But we have no further plans to close court-houses.

**Mr. Bjornerud:** — I'd ask leave to introduce guests, Mr. Chairman.

Leave granted.

### INTRODUCTION OF GUESTS

**Mr. Bjornerud:** — Thank you, Mr. Chairman. I'd like to introduce to you and through you to the members of the legislature today, a couple of my former counterparts in the RM (rural municipality) of Saltcoats — the reeve of the RM of Saltcoats and also a director on SARM (Saskatchewan Association of Rural Municipalities), and the administrator — Ron Risling and Don Taylor. I would ask the members to welcome them here today.

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

### COMMITTEE OF FINANCE

#### General Revenue Fund Justice Vote 3

#### Item 1

**Mr. Hillson:** — If I may return to my point about court closures . . . and of course we realize that we don't have 70 old, beautiful, historic, heritage buildings like Kerrobert that we're shutting down and doing away with. I realize the minister's point there.

Of course most of our provincial courts are being held in Legion halls and places like that. But nonetheless they still provide an economic service to our smaller communities. And I think it's those courts that presently meet say once every other week in the Legion hall that are considered to be at risk. And if the minister could reassure me that that is not the case and that our research staff is wrong on that point, I'm sure there'll be many people out there in rural Saskatchewan will be relieved.

**Hon. Mr. Nilson:** — Well at the present time there are 71 Provincial Court circuit points, which I think maybe then relates to your question. And basically those circuit points are set up in response to needs in various areas. We're actually increasing the number of circuit points as needs arise.

And there are some situations where, as we move forward in our justice system in including all of the people of Saskatchewan, where first nations request that court sessions be held on the first nation for matters that occur in their area, we are actually doing that. But at this point we don't have any plans to close circuit points and it's the chief judge as the administrator of the Provincial Court that is involved with that designation.

What I would point out is that in Manitoba, has approximately the same population as we do, they only have 48 circuit points. And in Alberta, which has two and a half times as many people as we do, they have 53 circuit points.

So one of the clear and important concepts that we in the Department of Justice have is that we should make sure that justice, access to justice, is available as many places as possible and what happens then is that we are willing to set up more

points than what maybe our neighbours on either side of us are doing.

**Mr. Hillson:** — Well I appreciate that the member from Watrous doesn't think that rural people in Saskatchewan worry about losing their court-house. I would remind the Minister of Justice that Manitoba, I think 60 per cent of the population lives in a single city, so it only stands to reason that they wouldn't have the rural court points that we have.

But I will pass on and ask the minister, in the case of the personal property registry, could the minister tell us what is the financial situation with the personal property registry. Is that similar to Land Titles Office or is that a case where the fees that are paid are in fact fees required to run the registry? Or is it in point of fact another hidden tax?

**Hon. Mr. Nilson:** — Okay, once again I have the figures that are set out in the books of the province for '95-96, and the actual revenues are \$4.94 million in that fiscal year, and the actual expenses once again directly related to the staffing and the people involved in the systems is 1.92 million. That doesn't include then their space through SPMC nor does it include the overall administration of the system.

This also does not include the development costs which . . . of the modern system that we have which is clearly the best in the country. We've been told that many times by people in other jurisdictions. They wish they had what we have, including some of the other places that talked a great deal about how great their system was, but when we compared ours they realized that ours is better. And that cost was almost \$2 million to develop this system which is also to be recovered.

But what I would say is that any of these funds which come in from fees or whatever, go directly into the General Revenue Fund. They're not revolving funds. They don't stay in the Department of Justice. The money goes into the payment of costs, like I said before, includes health, education, interest on the debt, social services.

**Mr. Hillson:** — If I understood the minister correctly a few minutes ago, you were telling us that in a few years time anyone with a personal computer will be able to access land titles information? Is that also correct? Do I have that right, and would that also be correct of our personal property registry when it is updated?

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

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

Leave granted.

### INTRODUCTION OF GUESTS

**Hon. Mr. Renaud:** — I want to join with the member from Saltcoats to introduce in the east gallery, Mr. Chairman, Mr. Risling and Mr. Taylor from the RM of Saltcoats. And also the member from Saltcoats, Mr. Chairman, Mr. Bob Bjornerud, is

in the east gallery. Please join with me in welcome.

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

**The Chair:** — I would remind the members not to use the proper name of members in the Legislative Assembly if he's a sitting member.

## COMMITTEE OF FINANCE

### General Revenue Fund Justice Vote 3

#### Item 1

**Mr. Nilson:** — Well in the answer to your question, what you're asking about has been in effect for two years now on the personal property registry. If you're in a law firm, for example, you can go on line and do the searches. There's a system whereby there's an access code and it calculates whatever the fees are and all of that is done that way. So yes, the answer to your question is yes, it's been that way for at least a couple of years.

**Mr. Hillson:** — Would that be true also though of home computers, that home computers will be able to access personal property registry and the Land Titles Office? That was my question.

(1630)

**Hon. Mr. Nilson:** — Now if I understood your question correctly, is can you access the personal property registry right now through personal computer at home? And the answer is yes, you can do that through a modem. The plan is for the new system, the land system, when it's all up and operating, that the same kinds of arrangements will be available.

Obviously, with both systems one of the big issues is how you design the system for security of access to the information. And that's exactly what's being discussed right now in the conceptual stage of the land project. And we have been receiving very good advice from real estate people, from oil and gas people, and from lawyers, from many lawyers who have some ideas about how we should do this.

**Mr. Hillson:** — Mr. Chairman, I know that one of the personal interests of this Minister of Justice has been alternate measures for dealing with prisoners, and I would like to say that I think that ought to include the incarceration process as well. I have oftentimes been concerned that periods of incarceration are too often times of enforced idleness where young people or adults are left to sit in a big room all day with little or nothing to do. Now I am certainly not in favour of chain-gang justice, but neither do I think that our youth centres and correctional centres should be places of enforced idleness.

Now what concerns me is that it seems to me, Mr. Minister, we've gone backwards in this regard in that we had work camps, which were good for prisoners, kept them active, provided some value to the province, and which ironically were

even liked by the prisoners. Even the prisoners preferred being at work camp doing something productive for society as opposed to being locked up in a big room. And our work camps are being lost to the justice system and I understand that White Gull has been closed down and Green Lake has been closed down. And I'd like to hear something from the minister on what the thinking behind these closures is, because to me it runs counter to the whole thrust of his philosophy and what he's trying to do in justice generally, namely to develop alternate measures of dealing with people in the justice system.

**Hon. Mr. Nilson:** — I'll respond to your question generally first. What we are doing in corrections is once again recognizing the component of the first nations aboriginal involvement. And you're correct in understanding that, for example the White Gull camp, we intend to eventually close it. But basically why we are doing this is that we are changing that operation into funds that we can use to build the spiritual healing lodge at Prince Albert. So White Gull is still open right now; it's still operating. And it will continue to operate until the healing lodge is up and operating.

I guess what I would say is that this is not an easy transition from the kinds of traditional correctional centres that we've had into some that we have . . . some new places that are identified primarily by the people who work with us from the first nations that are more responsive to some of the personal and spiritual needs of the aboriginal people.

As well, you talk about work opportunities. There are within the Saskatoon Correctional Centre and the Regina Correctional Centre, Prism Industries — and I'm not sure if you've had a chance to tour and see the kinds of work that are done there, but what we are attempting to do in these places, and I think do a fairly good job of, providing work opportunities for some of the people who are inmates in the correctional centre. Projects there include some of the woodworking things. And also in Regina they do — and Saskatoon — do welding and building. And it provides the opportunity for some of the people who are in the correctional centre to gain some skills which are marketable when they leave the centre.

Now one of the difficulties with those kinds of programs is that they end up in provincial corrections having people who are incarcerated for two years less a day and less. And so you often don't have people who are there for a long course of training and then the ability to work. But I think that given often the shorter-term nature of some of the sentences, Prism Industries provide opportunities. And at the present time it works out to be about 100 people in any particular day that are working in one of these workplaces.

**Mr. Hillson:** — Thank you, Mr. Chairman. But I would still like to hear a bit more though. It seems to me that in the Saskatchewan context, the work camps were certainly not Alabama chain-gangs. In fact, to say I think they were more appreciated even by the prisoners themselves than spending a day in a big concrete room doing nothing.

And I would like to know if the minister thinks these work camps have a place in the modern penal system in

Saskatchewan, or if they do not figure in the plans. And I'd also like it, if he's prepared to, to expand that into the young offenders system. I realize that young offenders incarceration is, of course, under Social Services, but there too, is there more we can do to have active programming instead of incarceration being a time of enforced idleness?

**Hon. Mr. Nilson:** — Well I think practically, the answer to your question is that we do include in our incarceration system a whole range of options. Right now we do have the urban camp in Saskatoon which does the kind of work, I think, that you're talking about here in the . . . around the Saskatoon area. And there are two of the camps still operating in the North.

There are also many community justice programs which include some aspect of people trying to find jobs and while they're on their probation time or whatever one wants to call it, they are working as well.

So I think there is a fairly clear plan within corrections to involve allowing the people who have been locked up an opportunity to get onto a different path so they don't end up there again.

As it relates to the young people and the young offenders facilities, you are correct that that is the responsibility of the Minister of Social Services. I know that many times the orders that are made for young offenders don't include work but they include going to school and dealing with whatever drug or alcohol problems or sometimes psychiatric treatment that is necessary, but I would ask that you maybe can ask that question of the Minister of Social Services so he can give more detail about that.

**Mr. Hillson:** — Mr. Chairman, contrary to some of the things that have been said, I would respectfully submit that no one in the Liberal opposition has said or done anything to indicate a lack of appreciation for our justice system and those working in it.

However I note that the Martin report says that our front-line prosecutors feel that the minister has not taken a public stand in appearing to appreciate and validate the work of our front-line prosecutors. And one of the recommendations of the report of course, is that the minister take the opportunity to, in a timely fashion, say that the work of members of his department in advancing the cause of justice administration in the province is appreciated.

And I wonder if the minister has any comments in that regard, say, that far from us not appreciating the difficulties under which our prosecutors work, the Martin report has said he hasn't been as upfront as he could have been in saying that he supports, he stands behind, and he appreciates the work of our prosecutors.

**Hon. Mr. Nilson:** — Well I appreciate the opportunity to respond to this particular question. And I think the member actually knows the difficulty that one is placed as the Minister of Justice when there are public issues and cases that are being discussed.

But I guess what I would say is that as the Minister of Justice I have a great appreciation and have always had a great appreciation for the hard work that the prosecutors do. I know, and I guess I had the opportunity for many years to operate or to work in the same building as the, sort of the head part of the prosecutions in Regina work and understood the complexities of the job. But also I think as the Martin report, Martin-Wilson report shows, the increasing public scrutiny of the jobs that the prosecutors do.

And I guess the important thing that I would like to say is that practically, the job that prosecutors do, and I would add equally defence counsel including Legal Aid, is sometimes some of the most misunderstood work in all of society. Because we have what I would like to say is a very good system of justice for getting at some of the most difficult circumstances that arise between human beings.

And when a confrontation or harm or some criminal event takes place, we have over many, many centuries developed a criminal justice system which allows us to get the facts out in as careful a way as possible, making sure that we have some very good protections for the defendants.

And the role of the Legal Aid defence counsel, the private defence counsel, is to make sure that the Crown, the prosecutors, present all of the evidence and make sure that they do it in a way that is fair to that defendant. Obviously the point of the court or of the judge is to make sure that all of this is done in as fair a way as possible.

Now I think what public debate has recognized is that, to explain a longer, complex process in the short pieces of information that we are often able to take in now in our society is not . . . it's not as easy to explain how the whole system works. And I guess as, you know, any person in Saskatchewan knows that, I know that.

But I guess what I would like to say here publicly — and I have said it privately and publicly — is thank you very much to the prosecutors. I appreciate the chance now after the report is done to say this more often and more publicly. And as you can well understand, while this whole review was on, it wasn't necessarily the easiest thing to get up there and be accused in some way of influencing what the report might say or do.

And while I'm at it, I will say thank you to all of your former colleagues in the legal aid system because they have also a very difficult task and a task that I'm very pleased to support in all the ways that I can.

**Mr. Hillson:** — I would like to thank the minister for that statement and say that I echo his sentiments.

On another matter, Mr. Chairman, again we may be suffering from faulty research, but our information is that as many as 400 farmers are being prosecuted in this province over gross revenue insurance program contracts. And I would like the minister to say how many farmers are in fact involved in legal suits with the minister now. How many farmers are suing the minister over the cancellation of GRIP (gross revenue insurance

program)? And if a contingency fund has been set aside to take account of what might may be a very substantial liability against this government in the event that those suits are successful,

(1645)

**Hon. Mr. Nilson:** — If I understand your question correctly — and let me clarify it so that I'm answering the right question — initially you asked about people being prosecuted, and I don't think that's what you meant, but more there is a lawsuit involving a number of farmers in Saskatchewan related to GRIP (gross revenue insurance program). And it's actually, I think, taking place right as we speak now. So I think I would defer any answer on that question and basically allow the courts to do their job.

**Mr. Hillson:** — But how many . . . Mr. Chairman, I don't think it in any way compromises an ongoing court case to say how many farmers are in fact involved in these suits. How many suits are out there? The number is not something that compromises litigation, Mr. Chairman.

**Hon. Mr. Nilson:** — Well if . . . I haven't been up to the court-house to count the files but . . . I don't know the answer to that. And if you wish, I could undertake to find out.

**Mr. Hillson:** — Thank you. One of the ongoing things which has diminished confidence in our justice system is the unseemly spectacle of the Minister of Justice being involved in litigation with the provincial court judges.

Now your predecessor said that an independent judicial commission was an essential hallmark of any independent judiciary. And of course after saying that, he cancelled the independent judiciary and fired them, and no independent judicial commission has been reappointed.

I would like to know if the minister believes that an independent judicial commission is in fact a hallmark of an independent judiciary. And while I realize that the court case with the judges is ongoing, I wonder if he shares my view that this is an embarrassment to the judicial process generally, that the justice system is supposed to be working together to deal with the issues out there, as opposed to the justice system in court dealing with fights among themselves.

**Hon. Mr. Nilson:** — Thank you, Mr. Chairman. As the member knows, this litigation is ongoing so I'm not able to comment, other than I can say generically about the point that he's raising that there are other jurisdictions that do not have the type of independent commission that you're talking about. And some places do, some don't; and at this time we don't.

**Mr. Hillson:** — Yes, I realize we don't, but your predecessor as minister of Justice said that it is essential to have such a commission if we say that our judiciary is independent. Now I wonder, does this minister believe that as well? Is that your philosophy or do you have a different philosophy that no, this is not essential for the integrity of our judiciary?

**Hon. Mr. Nilson:** — Mr. Chairman, this particular question is quite inappropriate as this is a direct issue in the litigation that is taking place, as well as a direct issue in the courses that are before the Supreme Court of Canada.

**Mr. Hillson:** — Mr. Chairman, how many farmers are being sued for the non-payment of crop insurance premiums from recent and past years? Are there a large number of cases in that regard and how much money would be involved in those suits?

**Hon. Mr. Nilson:** — I would suggest that you ask the minister responsible for Crop Insurance about that.

**Mr. Hillson:** — I would like to know the minister's views on retroactive legislation. This government of course passed retroactive legislation after missing the deadline for cancelling of the gross revenue insurance program. And I would suggest that at least in terms of our farmers, this too has not had a particularly good effect on making the citizenry of this province hold our justice system in high regard. It's been a long-standing principle of our law and our legal system that retroactive legislation is offensive.

And I would like to know what the minister thinks about retroactive legislation. Is this a tool that he thinks is appropriate? Does he agree with me that this does little to instil confidence in our people in justice?

**Hon. Mr. Nilson:** — Mr. Chairman, once again I know that the member understands that this question relates directly to one of the key issues in the litigation which is undergoing . . . which is going right now as it relates to the GRIP matters and also as it relates to the Provincial Court judges.

**Mr. Hillson:** — Mr. Chairman, one thing that is not the subject of litigation yet is the question of the cost of feeding a prisoner in our correctional system. I wonder if the minister could divulge the figures perhaps on a per capita per day basis of the cost of feeding prisoners in our correctional system?

**Hon. Mr. Nilson:** — Well, Mr. Chairman, that question is not a very simple one to answer because it relates to all of the different institutions. Each of them has a different cost, depending on the various arrangements as it relates to the food services, and I'm not in a position to answer that.

**Mr. Hillson:** — Could the minister give those figures for any correctional centre operating in the province? If I may, Mr. Chairman, it shouldn't be a particularly difficult figure to say that, this is the cost of groceries purchased for Regina Correctional Centre, this is the cost of salaries for the kitchen staff, and this is the number of prisoners who are fed on an average day.

**Hon. Mr. Nilson:** — Well we can try to take a look at all of the books and see what kinds of information that we do have. But what I would say is that it's very difficult to try to answer the kind of question that you talk about without expending great amounts of time chasing a mouse through a huge granary.

And I guess what I would say is that if this information is of

great significance to you or others that are with you and it justifies a fairly dramatic amount of work, we would consider doing that. But practically, I think that there are other issues that maybe we could discuss that would be of more use to the public.

The Assembly adjourned at 5 p.m.

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